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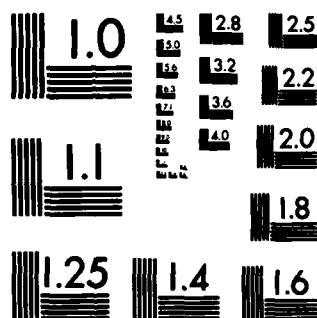
LAW ENFORCEMENT EFFORTS TO CONTROL DOMESTICALLY GROWN MARIJUANA(U) GENERAL ACCOUNTING OFFICE WASHINGTON DC  
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BY THE U.S. GENERAL ACCOUNTING OFFICE

Report To The Subcommittee On Government  
Information, Justice, And Agriculture,  
Committee On Government Operations  
House Of Representatives

Law Enforcement Efforts To Control  
Domestically Grown Marijuana

↓  
The amount of marijuana grown in the United States is increasing. It accounted for an estimated 15 percent of the total amount of marijuana available in the United States in 1982 compared with an estimated 9 percent in 1981. The estimated total amount available in the United States in 1982 was between 12,340 and 14,090 metric tons, and in 1981, the amount was between 9,600 and 13,900 metric tons.

Controlling domestic marijuana cultivation is primarily a state and local law enforcement responsibility. The Drug Enforcement Administration provides and coordinates federal assistance.

Most states expect domestic marijuana production to continue to increase. In responding to a GAO questionnaire, the states reported that more resources are needed to combat this expected growth. ↑



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UNITED STATES GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT  
DIVISION

B-214358

The Honorable Glenn English  
Chairman, Subcommittee on Government  
Information, Justice, and Agriculture  
Committee on Government Operations  
House of Representatives

Dear Mr. Chairman:

As you requested on March 22, 1983, we conducted a review of federal assistance addressing the domestic marijuana cultivation problem. This report primarily describes the Drug Enforcement Administration's domestic marijuana eradication and suppression state assistance program. It also discusses other federal assistance provided to the states to combat the problem.

In addition, the report discusses actions taken by the National Guard Bureau and the Drug Enforcement Administration during the course of our review which should improve the eradication effort.

As arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from the date of the report. At that time we will send copies to interested parties and make copies available to others upon request.

Sincerely yours,

*W. J. Anderson*

William J. Anderson  
Director



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GENERAL ACCOUNTING OFFICE  
REPORT TO THE SUBCOMMITTEE ON  
GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE, COMMITTEE ON  
GOVERNMENT OPERATIONS  
HOUSE OF REPRESENTATIVES

LAW ENFORCEMENT EFFORTS TO  
CONTROL DOMESTICALLY GROWN  
MARIJUANA

D I G E S T

Cultivation of marijuana in the United States is increasing. The federal government estimated that domestically produced marijuana accounted for 15 percent of the total amount available in the United States in 1982, up from an estimated 9 percent of the total available in 1981. The estimated total amount available in the United States in 1982 was between 12,340 and 14,090 metric tons, and in 1981, the amount was between 9,600 and 13,900 metric tons.

According to law enforcement agencies, marijuana is currently being cultivated in all 50 states. Much of this marijuana is highly potent and is potentially more harmful to consumers than most imported types of marijuana. State law enforcement agencies responsible for controlling domestic marijuana expect the amount grown to increase in the future.

The Chairman of the Subcommittee on Government Information, Justice, and Agriculture, House Committee on Government Operations, requested that GAO evaluate federal activities addressing the domestic marijuana problem. As agreed to with the Subcommittee, GAO focused its evaluation primarily on the Drug Enforcement Administration's (DEA's) national Domestic Marijuana Eradication/Suppression Program which was established to assist the states. The results of the review are primarily based on questionnaire responses obtained from state law enforcement agencies.

GAO did not obtain agency comments on this report.

STATE AND LOCAL AUTHORITIES  
ARE PRIMARILY RESPONSIBLE  
FOR CONTROLLING DOMESTIC  
MARIJUANA CULTIVATION

The Drug Abuse Office and Treatment Act of 1972 established a Strategy Council on Drug Abuse. The council consists of representatives from the White House Drug Abuse Policy Office; the Departments of Justice, State, Defense, Treasury; and eight other departments and independent agencies. The council's strategy outlines the nation's approach to controlling illegal drugs. The strategy places the primary responsibility for reducing domestic marijuana cultivation with state and local authorities, and designates the federal government's role as one of leadership, coordination, and support. (See p. 11.)

DEA, the principal federal agency for drug law enforcement, is responsible for assisting the state and local agencies in their efforts to control marijuana cultivation. DEA assisted two states in 1979 and 1980 and seven states in 1981. In 1982, DEA formalized its assistance to the states by establishing a national Domestic Marijuana/Suppression Program, and assisted 25 states. By 1983, 40 states were participating in DEA's marijuana program. DEA gave the 40 states a total of \$1.75 million and provided some training, equipment, and a small number of personnel. Other federal agencies also provided similar assistance. (See pp. 12 to 13.)

ENFORCEMENT EFFORTS HAVE  
DISRUPTED CULTIVATION METHODS  
AND STATES CLAIM MORE RESOURCES  
NEEDED

In responding to a GAO questionnaire, the state law enforcement agencies participating in DEA's 1983 program reported that the major impact of their enforcement efforts was that growers changed their cultivation methods. According to law enforcement agencies, many growers are moving their operations indoors, growing smaller and scattered plots outdoors, and taking other measures to better hide their crops grown outdoors. (See p. 21.)

Most states reported that they expect domestic marijuana production to continue to increase during 1984 and 1985, with more indoor cultivation and increasing involvement of large-scale criminal organizations. State law enforcement agencies indicated that various resources are needed to increase the impact of enforcement efforts against both indoor and outdoor cultivation in their states. The agencies listed intelligence (data on domestic marijuana trafficking), helicopters, and off-road vehicles as the most needed resources. (See pp. 22 to 24.)

MILITARY ASSISTANCE MAY  
BE AVAILABLE TO MEET SOME  
OF THE STATES' NEEDS

The National Guard and the Department of Defense (DOD) may be able to help meet some of the state and local law enforcement needs, particularly with air support to help locate and destroy marijuana grown outdoors.

In 1981, the Congress enacted legislation (10 U.S.C. 371-378) designed to encourage military assistance to civilian law enforcement agencies. Although this legislation restricts DOD from providing certain law enforcement assistance (search, seizures, and arrest), it allows DOD to furnish assistance which would be helpful to domestic marijuana enforcement efforts. (See p. 27.)

DOD may provide information on marijuana plots sighted during DOD training flights; loan equipment, such as helicopters and off-road vehicles; provide base facilities; and train civilian law enforcement personnel to operate DOD-loaned equipment. Two state law enforcement agencies received DOD support for marijuana enforcement efforts during 1983. Many agencies told GAO that they either were unaware that DOD assistance may have been available or did not know how to request it. (See pp. 27 to 28.)

Under its Domestic Marijuana Eradication/Suppression Program, DEA is responsible for providing program guidance to the states and coordinating the assistance other federal

agencies can provide. According to DEA officials, they did not provide states with much information on DOD assistance in 1983 because DEA was still in the learning stage regarding what DOD could provide law enforcement agencies under the 1981 legislation. During GAO's evaluation, DEA issued guidance to its field offices explaining the types of military resources that may be available to assist state domestic marijuana programs. (See pp. 33 to 34.)

Greater assistance from the National Guard may have been possible. National Guard units limited their assistance during federally funded (Title 32, U.S. Code) Guard training missions to providing law enforcement agencies with information on suspected marijuana plants. Since case law reveals that the National Guard is not generally considered as part of the armed forces when training, DOD regulations that restrict direct military support to civilian law enforcement need not be applied to Guard units while in Title 32 training. (See pp. 26, 29 to 32.)

Without these restrictions, Guard units may directly support marijuana eradication raids by providing helicopters with crews to transport law enforcement officers and seized marijuana plants, if the operation is compatible with required Guard training. However, National Guard headquarters guidelines did not specifically state that this type of support can be provided during training, and some Guard units informed state law enforcement agencies that such assistance was prohibited by the guidelines. (See pp. 26, 32, and 33.)

During the review, GAO suggested to the Chief, National Guard Bureau that the Guard amend its drug enforcement support guidelines to specify the types of direct assistance that Guard units in training are authorized to provide law enforcement authorities, and the conditions under which this type of assistance may be provided. By letter dated April 25, 1984, the Chief, National Guard Bureau clarified its drug enforcement support guidelines as suggested by GAO. (See pp. 34 to 35.)



STATE AND LOCAL LAW ENFORCE-  
MENT AGENCIES TO INCREASE  
INTELLIGENCE EFFORTS ON  
DOMESTIC MARIJUANA OPERATIONS

Not much is known about the amount of marijuana grown indoors, the involvement of large criminal organizations, and the patterns of domestic marijuana distribution. In response to a GAO questionnaire, state law enforcement agencies in DEA's program indicated that additional efforts are needed to collect and analyze intelligence regarding cultivators and distributors. Many of the states plan to increase their efforts in this area. (See pp. 38, 39, and 40.)

Acquiring this information is particularly important if the amount of marijuana grown indoors and the number of large-scale cultivation and distribution organizations continue to increase as most of the state agencies expect. Intelligence activities identifying these operations may help law enforcement agencies decide where to direct their limited resources so the greatest impact can be achieved in combatting the domestic marijuana problem. (See pp. 40 and 41.)

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## ABBREVIATIONS

BLM	Bureau of Land Management
DAWN	Drug Abuse Warning Network
DEA	Drug Enforcement Administration
DOD	Department of Defense
GAO	General Accounting Office
FBI	Federal Bureau of Investigation
NCJA	National Criminal Justice Association
NGA	National Governors' Association
NIDA	National Institute on Drug Abuse
NNICC	National Narcotics Intelligence Consumers Committee
NORML	National Organization for the Reform of Marijuana Laws
RISS	Regional Information Sharing Systems
SDEA	State Drug Enforcement Alliance
THC	delta-9-tetrahydrocannabinol
WSIN	Western States Information Network

## CHAPTER 1

### DOMESTIC MARIJUANA IS BECOMING A SUBSTANTIAL PORTION OF THE U.S. MARKET

The supply of "homegrown" marijuana on the illegal market has been steadily increasing. Domestic marijuana accounted for an estimated 15 percent of all the marijuana (12,340 to 14,090 metric tons) available in the United States during 1982. This is approximately double the estimated domestic marijuana supply in 1980. Much of this marijuana is more potent, more expensive, and potentially more harmful to consumers than most imported marijuana. Such high-grade marijuana is in demand and commands premium prices. This may be a reason for the increased production.

The Chairman of the Subcommittee on Government Information, Justice, and Agriculture, House Committee on Government Operations, asked GAO to evaluate the federal activities that address this problem. We focused our evaluation primarily on the Drug Enforcement Administration's (DEA's) national Domestic Marijuana Eradication/Suppression Program because it is the principal means by which the federal government is helping the states combat domestic marijuana.<sup>1</sup>

#### MARIJUANA IS BEING GROWN NATIONWIDE

While marijuana production estimates have been unreliable, DEA has concluded that the United States is becoming a major source of marijuana. According to DEA, domestic marijuana cultivation in the late 1970s was primarily limited to a few states. By 1983, however, domestic marijuana was being seized by law enforcement agencies in all 50 states, mostly in small plots on privately owned land.

State law enforcement agencies, in responding to our questionnaire (see app. III), reported that the seriousness of the domestic marijuana problem in their states has grown considerably over the past few years. Our questionnaire results show

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<sup>1</sup>An ongoing GAO evaluation is addressing the Department of Agriculture's Forest Service and the Department of Interior's Bureau of Land Management and National Park Service efforts to reduce marijuana cultivation in national forests and on other federal lands.

that 15 of 47 states<sup>2</sup> considered marijuana cultivation to be a very major problem in 1983, while 4 states considered it to be a very major problem between 1975 and 1980. Additionally, the number of states considering marijuana cultivation as somewhat of a major problem increased from 7 during the period 1975 to 1980 to 18 in 1983. The table below shows how all 47 state agencies perceived their states' marijuana cultivation problems over time periods in response to our questionnaire.

Perceived Seriousness of Domestic  
Marijuana Cultivation

<u>Time period</u>	<u>Number of States</u>					
	<u>Very major problem</u>	<u>Somewhat a major problem</u>	<u>Moderate problem</u>	<u>Little problem</u>	<u>No problem</u>	<u>Don't know</u>
1983	15	18	10	3	0	1
1981-1982	11	13	17	6	0	0
1975-1980	4	7	18	14	1	3
Prior to 1975	2	2	4	23	4	12

Marijuana plant eradication statistics for 1982 and 1983 also disclose that domestic marijuana production has been increasing. According to DEA, its analysis of 1982 seizures revealed that 38 percent more domestic marijuana was eradicated than the federal government reported grown in the previous year. DEA reported that 1,653 metric tons of marijuana (2.6 million plants) were eradicated in the United States during 1982, whereas the federal estimate for the total domestic marijuana supply to the U.S. market in 1981 was 900 to 1,200 metric tons. In 1983, according to DEA, 3.8 million plants were seized.

Estimates prepared by the National Narcotics Intelligence Consumers Committee (NNICC),<sup>3</sup> a committee composed of representatives from DEA and other federal agencies which have an interest in illicit drug trafficking, show that domestic marijuana

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<sup>2</sup>We analyzed the questionnaire responses of 47 state law enforcement agencies responsible for controlling domestic marijuana in their states (see p. 9).

<sup>3</sup>NNICC estimates are based on intelligence input from 10 member agencies, including DEA, FBI, and the National Institute on Drug Abuse.

has significantly increased as a percentage of the total U.S. marijuana market. NNICC estimated that domestic marijuana supplied approximately 7 percent (700 to 1,000 metric tons) of the U.S. market in both 1979 and 1980. For 1981, NNICC estimated that the domestic marijuana share had increased to 9 percent (900 to 1,200 metric tons), and NNICC's estimate for 1982 is that domestic marijuana accounted for 15 percent (2,000 metric tons) of the total supply available in the United States.

NNICC's Estimated Supply of Marijuana  
to the U.S. Market, 1982

<u>Country of origin</u>	<u>Quantity (metric tons)</u>	<u>Percentage of total supply</u>
United States	2,000	15
Colombia	7,000 - 8,000	57
Jamaica	1,750 - 2,500	16
Mexico	750	6
Other	<u>840</u>	<u>6</u>
Total	<u>12,340 - 14,090</u>	<u>100</u>

There are those who believe that domestic marijuana has captured a significantly greater share of the U.S. market than NNICC's estimated 15 percent. For years, the National Organization for the Reform of Marijuana Laws (NORML)<sup>4</sup> has said that the federal government's estimates were too low. According to NORML's Domestic Marijuana Cultivation Report, domestic marijuana made up 50 percent (7,500 metric tons) of an estimated 15,000 metric tons available on the U.S. market in 1983. The Attorney General in Oregon has said that narcotics officers in his state believe that domestic marijuana represents well over 50 percent of the total U.S. supply.

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<sup>4</sup>NORML is a non-profit membership organization which lobbies for the reform of laws making marijuana an illegal substance. NORML's goal is to remove marijuana offenses from the criminal justice system and to substitute regulation and taxation as a method for controlling marijuana.

Efforts have been made to develop  
better production estimates

The need for better information to determine the extent of domestic marijuana cultivation has long been recognized by DEA and other federal agencies. In 1979, DEA and the White House Drug Abuse Policy Office agreed that the overall collection of intelligence regarding the amount of domestic marijuana being produced was inadequate in that very little solid data had been developed.

In 1982, DEA began to develop a data base to estimate domestic marijuana production. Eradication statistics and other information were requested from state law enforcement agencies in each of the 50 states. Despite these efforts, DEA officials considered the 1982 estimates and the methods used to calculate them as imprecise.

In 1983, greater efforts were made to develop more accurate estimates. The White House Drug Abuse Policy Office initiated an interagency effort that established standards for estimating the quantity of marijuana produced in the United States. DEA made major refinements in its data collection activities and requested uniform statistics on a monthly basis from the 40 states in its program concerning the results of their eradication efforts. According to DEA officials, the 1983 eradication statistics prepared by DEA on the basis of the states' reports are an improvement over previous years' statistics.

Marijuana is typically cultivated  
in small plots on private land

State law enforcement agencies reported that the majority of domestic marijuana is cultivated on privately owned land. Estimates in our questionnaire for 46 states show that an average of 79 percent of the marijuana was grown on land either owned, leased, or rented by the grower, or on private land used by the grower with or without the owner's permission. The states estimated that 14 percent of the marijuana was grown on federal land and 8 percent on other public lands.

The states also reported that an average of 57 percent of the marijuana eradicated in 1983 was found in plots containing fewer than 100 plants, and 29 percent in plots containing 100 to 499 plants. Fourteen percent of the eradicated marijuana was found in plots containing 500 or more plants.

## DOMESTIC MARIJUANA IS HIGHLY POTENT

The seriousness of the domestic marijuana problem can be measured in terms of quality as well as quantity. In recent years, there has been an increase in the domestic cultivation of marijuana using the sinsemilla technique, which can produce a very potent form of marijuana. This has caused increased concern over the health consequences of marijuana use. Also, because of its increased potency, high-grade marijuana has become highly sought, allowing growers to charge premium prices and reap large profits. These profits encourage further cultivation.

### More high-grade marijuana is being produced

Marijuana has the ability to intoxicate its users, primarily because of the psychoactive or mind-altering ingredient called delta-9-tetrahydrocannabinol, or THC. It is the THC content, found at various concentrations in different parts of the plant, which determines the plant's potency. The sinsemilla technique is a relatively new growing method which produces large amounts of THC. In this labor-intensive technique, cultivators prevent the pollination of female marijuana plants by removing the male plants before they release pollen. This causes the female plants to increase the amount of THC resin in their flowering buds, resulting in a seedless strain of marijuana commonly known as sinsemilla.

Growers use the sinsemilla technique to produce high-grade marijuana with THC levels exceeding those found in Colombian or other nonsinsemilla types of marijuana. The White House Drug Abuse Policy Office reports that sinsemilla THC content can range up to 11 percent. By comparison, most Colombian, Mexican, and Jamaican marijuana has a THC content of 2 to 4 percent.

Growers are practicing sinsemilla cultivation in almost every state. Until recently, cultivation using the sinsemilla technique occurred primarily in Hawaii and California. Thirty-eight of 47 state law enforcement agencies reported that the cultivation of sinsemilla in their states had increased during the past 3 years. Estimates by respondents to our questionnaire disclosed that an average of 28 percent of the marijuana eradicated in 42 states during 1983 was cultivated using the sinsemilla technique. DEA's estimate for 1983 is that 26 percent of the eradicated marijuana was sinsemilla.

Sinsemilla is not the only domestic marijuana with a high THC content being cultivated. Many growers experiment with and



produce other exotic varieties of high-grade marijuana. Such marijuana may be included in the overall estimates of sinsemilla eradicated in 1983.

High-potency marijuana is increasing health concerns

Over the years, there has been a host of studies concerning the effects of marijuana on the health of users. According to a 1982 Marijuana and Health report issued by the Institute of Medicine of the National Academy of Sciences,<sup>5</sup>

"Scientific evidence published to date indicates that marijuana has a broad range of psychological and biological effects, some of which, at least under certain conditions, are harmful to human health."

According to the Surgeon General, some of the known or suspected effects attributed to the use of marijuana are: impaired short-term memory and slowed learning; impaired lung function similar to that found in cigarette smokers; decreased sperm count; interference with ovulation and prenatal development; impaired immune response; possible adverse effects on heart function; and by-products of marijuana remaining in body fat for several weeks with unknown consequences. Another major concern is the presumed link between the use of large amounts of marijuana, particularly among young consumers, and the "amotivational syndrome" characterized by apathy and loss of motivation.

Researchers state that the use of high-potency marijuana may result in more serious problems than suspected from past research that was based on lower potency marijuana. Moreover, the Drug Abuse Warning Network (DAWN)<sup>6</sup> reported a 13-percent increase in the number of marijuana-related hospital emergencies during 1982, which, according to NNICC, possibly reflects the increased abuse of high-potency marijuana.

Although different perspectives on the health consequences of marijuana consumption exist, there is a consensus that marijuana is potentially hazardous to one's health and that the availability of substantially more potent varieties necessitates

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<sup>5</sup>Marijuana and Health, report of a study by a Committee of the Institute of Medicine of the National Academy of Sciences, 1982.

<sup>6</sup>DAWN is a nationwide program that gathers data on drug abuse from hospital emergency rooms and medical examiners in selected locations throughout the United States.

a re-evaluation of the hazards involving high-potency marijuana. The 1982 report by the National Academy of Sciences' Institute of Medicine concludes, "What little we know for certain about the effects of marijuana on human health--and all that we have reason to suspect--justifies serious national concern."

#### Large profits are being made

The quality of marijuana is also significant from a commercial merchandising standpoint. According to a NNICC report assessing U.S. drug supplies in 1982, domestic marijuana is considered to be a superior product by users, and lower grade imported marijuana has become less attractive. The recognized superior potency of sinsemilla allows growers to reap huge profits. Domestic sinsemilla commands prices of \$1,200 to \$2,600 per pound versus \$700 to \$800 per pound for Colombian marijuana. For example, one grower in Northern California told law enforcement officials that he was to receive \$500,000 from a buyer for his 250 sinsemilla plants upon harvest.

The amount of money that can be made from marijuana cultivation attracts different types of people to this illegal business. Backgrounds of cultivators include moonshiners, farmers, housewives, artists, carpenters, mechanics, and professionals. For example, in Mississippi, a teacher who had received a teaching commendation was responsible for growing one of the largest crops seized during the the state's 1982 eradication efforts. Some DEA and state officials said they fear that the potential for large profits will increasingly attract violent criminals and will corrupt legitimate businesses and public officials.

Growers sometimes use various means to protect their lucrative crops against poachers, trespassers, and law enforcement officers. For example, alarms, attack dogs, booby traps, and armed guards have been encountered. Law enforcement officials reported that they seized 984 weapons during DEA's 1983 domestic marijuana program.

#### OBJECTIVES, SCOPE, AND METHODOLOGY

We conducted our evaluation in accordance with the subcommittee's request. The subcommittee requested that we evaluate the current programs within DEA and other federal agencies which address the domestic marijuana problem, and to specifically address

- the current roles, responsibilities, and expenditures of the federal agencies that assist state and local agencies with this problem;

- what the states' needs may be and how satisfied they are with the federal assistance they currently receive;
- how states have used the changes in Posse Comitatus legislation to request military assistance in detecting marijuana growth;
- how current intelligence estimates of domestic production are assembled and what intelligence methods are used to detect, destroy, and measure illegal domestic marijuana;
- to what extent federal agencies used the multistate regional intelligence networks to collect intelligence in this area.

As agreed to with the subcommittee, we focused our evaluation primarily on DEA's Domestic Marijuana Eradication/Suppression Program because it is the principal means by which the federal government is helping the states with this problem. We also obtained some information concerning other federal assistance to the states.

To accomplish our objectives, we performed work in Washington, D.C. as well as in certain states. The states we selected differed significantly in the amount of marijuana previously eradicated, and the year they started receiving DEA assistance for eradication. We performed work at the following offices:

- DEA headquarters, the National Guard Bureau, the Department of Defense (DOD), and the White House Drug Abuse Policy Office in Washington, D.C.;
- DEA field offices in California, Colorado, Georgia, Hawaii, Kentucky, Ohio, Oregon, Tennessee, and Utah;
- State law enforcement agencies in California, Colorado, Georgia, Kentucky, Ohio, and Tennessee, as well as police departments in Honolulu, Hilo, and Kahului, Hawaii;
- National Guard units in Georgia, Hawaii, and Ohio; and
- Regional Information Sharing Systems projects in California, Massachusetts, Missouri, and Tennessee.

Our work included:

- discussions and interviews with agency officials;

- review of DEA and DOD policies, procedures, regulations, and practices;
- examination and summarization of agencies' reports, files, correspondence, statistical data, budgetary data, and congressional reports, hearings, and legislation;
- review of DEA's national domestic marijuana eradication statistics and cultivation estimates, and National Narcotics Intelligence Consumers Committee estimates of domestic marijuana production; and
- observation of a marijuana eradication raid by law enforcement officers in northern California.

In addition to our fieldwork, we sent a standardized questionnaire to the state law enforcement agency responsible for controlling domestic marijuana in each of the 50 states. We requested information, generally for calendar year 1983, concerning the nature and extent of domestic marijuana cultivation and distribution, eradication and enforcement efforts and their impact, federal assistance, intelligence collection, and investigations. For the 10 states not participating in DEA's 1983 domestic marijuana program, we also requested information concerning eradication raids and the reason DEA funding was not received.

Ninety-eight percent (49 of 50) of the state agencies responded and answered all or parts of our questionnaires. We excluded 2 of the 49 questionnaires from our analysis, however, because the responses did not apply to all domestic marijuana eradication and suppression activities within those two states. Information from the total 47 state law enforcement agencies is used in Chapter 1 because the chapter discusses the overall domestic marijuana problem in the United States. However, chapters 2, 3, 4, and 5 discuss DEA's 1983 Domestic Marijuana Eradication/Suppression Program, and we limited our analysis of the questionnaires to the 37 respondents who participated in DEA's 1983 program.

We discussed the domestic marijuana problem and control efforts with representatives of the National Governors' Association (NGA), the National Criminal Justice Association (NCJA), and the State Drug Enforcement Alliance (SDEA). Additionally, we attended a roundtable discussion on the use of the military in the control of illegal drugs co-sponsored by the NGA, the Department of Justice, the NCJA, the National Guard Association, and the SDEA.

We also reviewed information published by the National Institute on Drug Abuse (NIDA) concerning the health consequences of marijuana use, and we discussed this topic with a member of the National Advisory Council of NIDA.

We supplemented the work described above with information obtained on another GAO evaluation addressing marijuana cultivation on national forest and other federal lands.

The Subcommittee requested that, because of time constraints, we not obtain agency comments on this report. We did, however, discuss the report's content with agency officials, and their comments are incorporated where appropriate. Our review was performed in accordance with generally accepted government auditing standards.

## CHAPTER 2

### THE FEDERAL GOVERNMENT IS HELPING STATE AND LOCAL AUTHORITIES COMBAT

#### THE CULTIVATION OF MARIJUANA

In an attempt to curtail the increasing cultivation of marijuana in the United States, DEA has increased its assistance to state and local law enforcement agencies. In 1983, 40 states participated in DEA's Domestic Marijuana Eradication/Suppression Program. As part of its program, DEA allocated to the states a total of \$1.75 million to help defray expenses of marijuana eradication activities. DEA also provided some training, equipment, and a small number of personnel. Such support is consistent with the overall federal drug strategy which encourages state and local agencies to control domestic marijuana.

Federal assistance is not limited to DEA. For example, the U.S. Forest Service and the Bureau of Land Management (BLM) cooperate with local law enforcement in certain states to detect and eradicate marijuana that is grown on federal lands. Other agencies, such as the Bureau of Alcohol, Tobacco and Firearms and the FBI also provided some help.

#### FEDERAL STRATEGY FOR COMBATTING DOMESTIC MARIJUANA

The Drug Abuse Office and Treatment Act of 1972 (Public Law 92-255) established a Strategy Council on Drug Abuse to develop a federal strategy for drug abuse prevention and drug trafficking control by the federal government. The council consists of representatives from the White House Drug Abuse Policy Office; the Departments of Justice, State, Defense, and Treasury; and eight other departments and independent agencies.

The strategy provides for federal initiatives encouraging state and local agencies to eradicate marijuana cultivated in the United States. The 1982 strategy<sup>1</sup> emphasizes that a key element of domestic drug law enforcement

"is public recognition of the needs to stop the production of illegal drugs within the United States and to expand the ongoing drug eradication efforts throughout

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<sup>1</sup>The most recent strategy statement, Federal Strategy for Prevention of Drug Abuse and Drug Trafficking, was published in 1982.

the United States . . . cultivation of cannabis<sup>2</sup> requires the attention of all levels of government, with emphasis on initiatives by state and local law enforcement activities."

DEA HAS INCREASED ITS ASSISTANCE  
TO THE STATES FOR MARIJUANA  
PLANT ERADICATION/SUPPRESSION

DEA, the principal federal agency for drug law enforcement, has assisted state and local law enforcement agencies since 1979, when it helped agencies in California and Hawaii. In 1981, DEA expanded its support to include Oregon, Florida, Georgia, Missouri, and Kentucky. During that year, a DEA survey disclosed that marijuana was being commercially cultivated in at least 25 states. DEA also found that in 1981 greater amounts of high-grade marijuana were being produced, commanding higher prices and thereby providing a greater incentive to growers. To counter this threat, in 1982, DEA established its Domestic Marijuana Eradication/Suppression Program which initially included 25 states. On the basis of further analysis of the problem in 1982, DEA expanded the program to 40 states in 1983.

DEA allocated \$2.4 million from its operating budget (\$255 million in fiscal year 1983) for the 1983 Domestic Marijuana Eradication/Suppression Program. About \$1.75 million of this was given directly to state and local law enforcement agencies for eradicating marijuana plants and for suppression activities including the arrest and prosecution of offenders and seizure of their assets.

The remaining allocated funds were used by DEA for: training schools attended by state and local officers (as well as some Forest Service and BLM agents); aircraft surveillance to help locate marijuana plots; high-altitude photography in parts of California and Oregon; and other DEA headquarters and field office activities, such as informing the public about the threat of marijuana cultivation, helping states develop programs, coordinating with other federal agencies, assisting with certain investigations, and developing methods for using herbicides to eradicate plants. A breakdown of the \$2.4 million is provided in the following table.

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<sup>2</sup>Cannabis is a broad leaf weed from which marijuana, the finished dry drug substance, can be produced. Both terms, cannabis and marijuana, are used interchangeably in this report.

DEA Funds Allocated  
Domestic Marijuana Eradication/Suppression Program  
1983

Funds to states	\$1,750,270
Training schools	83,500
DEA airwing	100,000
High-altitude photography <sup>a</sup>	150,000
Headquarters and field office operating funds	261,130
Purchase of evidence/purchase of information	<u>55,100</u>
Total	<u>\$2,400,000</u>

<sup>a</sup>DEA's Office of Science and Technology contributed an additional \$50,000 to this project.

The extent of DEA's assistance to each state to combat domestic marijuana varies. While all states participating in DEA's program reportedly have marijuana being grown for profit, some states have a greater problem than others. DEA's plan is to provide differing levels of assistance, depending upon the perceived volume of cultivation, sufficient to support an aggressive search program in each state. The amount of funds that DEA gave to each of the 40 participating states during 1983 is shown in appendix II.

OTHER FEDERAL AGENCIES ARE ALSO HELPING

In addition to DEA, other federal agencies assist state and local marijuana eradication efforts. Because some marijuana is cultivated on lands managed by the U.S. Forest Service and BLM, they contribute money, equipment for aerial surveillance, and in certain instances manpower to support state and local domestic marijuana control efforts. For example, in 1983, the Forest Service provided about \$1.1 million and BLM provided an estimated \$180,000 in cooperative law enforcement funds to combat marijuana cultivation. In addition, both agencies contributed to research on advanced methods for detecting marijuana from the air.

State and local law enforcement agencies in certain locations have received some assistance from other federal agencies as well. Various state law enforcement officials reported that in 1983 their states' domestic marijuana control efforts were assisted to some extent by the FBI; Bureau of Alcohol, Tobacco and Firearms; Internal Revenue Service; U.S. Customs; U.S. Coast Guard; and DOD. The types of assistance varied by state and by



the federal agency involved but included investigation, intelligence, eradication manpower, and aerial support. With the exception of DOD, the total amount of assistance from each agency cannot be readily determined.

#### A MODEL STATE PROGRAM

The eradication and suppression efforts in California during 1983 are considered by DEA to be an example of the type of coordination DEA is encouraging. To provide a vehicle for focusing multi-agency resources on domestic marijuana, a joint county, state, and federal task force referred to as the Campaign Against Marijuana Planting (CAMP) was established. Twenty-eight agencies participated, including agencies not normally involved in such activities (e.g., California Office of Emergency Services, California Department of Forestry, and the National Guard). This coordination of effort is the reason DEA has labeled CAMP a model program.

The principal participating agencies paid for much of CAMP's costs. However, some needed resources were neither available from these agencies nor eligible for procurement with the limited federal funds available. The California Office of Emergency Services located and acquired these resources from within the state government.

CAMP targeted high density cultivation areas in 14 counties. The counties were divided into four regions, each having a regional strike team responsible for carrying out eradication raids. Potential raid targets were identified through aerial observation and other means, and specific sites were selected for the raids. Weekly operations plans were then developed for each region. After the CAMP steering committee approved the weekly plans, the strike teams conducted the eradication raids and reported the results to CAMP headquarters. During the 10-week operation, teams raided 524 sites resulting in the destruction of 64,579 plants. The following sequence of photographs was taken during a CAMP operation in Northern California.



Source: GAO

In September 1983, GAO observed a marijuana raid in Yuba County, California. The raid was part of California's Campaign Against Marijuana Planting (CAMP)-a joint county, state, and federal task force which targeted high density cultivation areas in Northern California. The raid resulted in the seizure of approximately 5,000 marijuana plants, cultivated in four different plots and scattered throughout a forest area.



Source: GAO

An example of a stem full of buds from one of the seized marijuana plants. A well cultivated marijuana plant can produce numerous buds which are the most valuable and potent part of the plant.



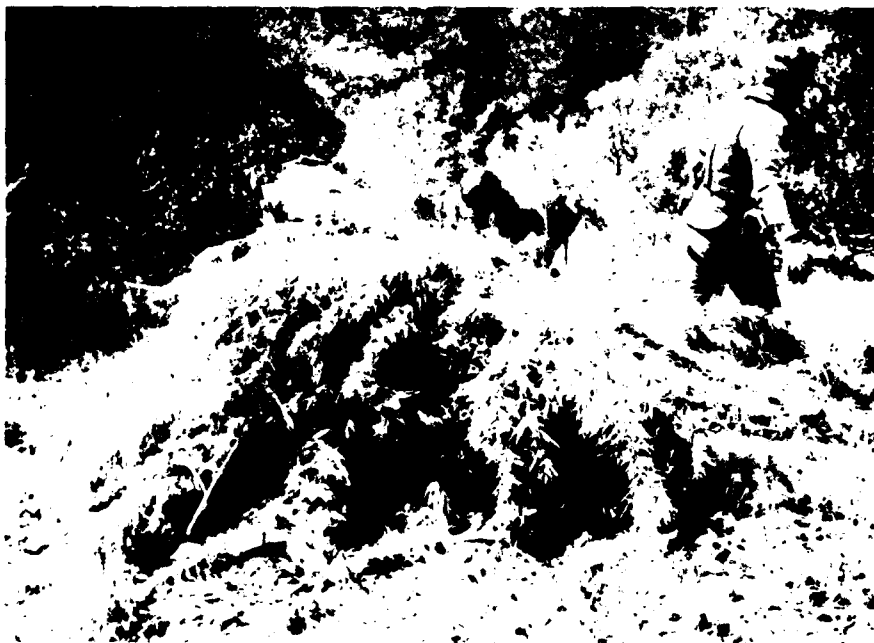
Source: GAO

Raid team members included law enforcement officers from Sheriff's Offices in Yuba and Butte Counties, the California Bureau of Narcotic Enforcement, U.S. Forest Service, and Bureau of Land Management.



Source: GAO

Eradication raids are labor intensive and require the efforts of many people to cut, remove, and destroy the marijuana plants.



Source: GAO

The seized plants are piled on a net and readied for transport by helicopter.



Source: GAO

**A law enforcement officer records the number of marijuana plants seized. Accurate eradication statistics help improve estimates of marijuana production.**



Source: GAO

**A UH-1 (Huey) helicopter supplied and crewed by the National Guard provided air transportation for the strike team and removed the seized marijuana from the forest area. The National Guard furnished such assistance to CAMP after the governor determined that emergency measures were necessary.**



Source: GAO

Two nets loaded with marijuana are hooked to a steel cable suspended from the helicopter, and airlifted to the landing zone. Air support is sometimes needed to transport seized cultivation equipment (e.g.; irrigation pipes, pumps, and generators) and to insert and extract raid teams.



Source: GAO



Source: GAO

The air-lifted marijuana is dropped at the landing zone, loaded onto a truck, and then transported to an incinerator for destruction.

### CHAPTER 3

#### ENFORCEMENT EFFORTS HAVE DISRUPTED

#### CULTIVATION METHODS AND STATES

#### CLAIM MORE RESOURCES NEEDED

Marijuana cultivation in the United States continues to increase. The major impact of federal, state, and local eradication and suppression efforts has been to cause marijuana growers to become more cautious and change their cultivation methods to make their plants harder to detect by law enforcement officials. Growers are shifting their operations indoors; breaking up outdoor crops into smaller plots; and using other techniques, such as camouflage nets to conceal their outdoor crops. Many law enforcement officials said they believe that such practices will be more prevalent in the future, and they expect domestic marijuana cultivation to increase during 1984 and 1985.

In responding to our questionnaire, state law enforcement agencies involved in DEA's domestic marijuana program identified a variety of resources needed to increase the impact of their eradication and suppression efforts, both indoors and outdoors. Most state agencies said their efforts will decrease without continued federal funding.

#### IMPACT OF ERADICATION AND SUPPRESSION PROGRAM

In our questionnaire sent to state law enforcement agencies in October 1983, we asked each agency to describe the impact of their state's efforts against domestic marijuana. Agencies representing 36 of the 40 states in DEA's 1983 program responded.<sup>1</sup> One state, Ohio, said it had reduced the amount of marijuana being cultivated. Another state said its efforts had no effect on cultivation, and eight states (including California with its model program) could not determine whether there was an impact in terms of reduced marijuana cultivation. Twenty-six other states reported that their efforts resulted in seizing plants, making arrests, and letting growers know that action is being taken. However, the most frequent impact cited (13 of the 26 states) was that enforcement efforts have caused marijuana

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<sup>1</sup>Because chapters 2, 3, 4, and 5 discuss and evaluate DEA's national program, questionnaire analysis in the chapters is limited to states that participated in DEA's 1983 Domestic Marijuana Eradication/Suppression Program. Aggregate responses for all 47 responding states are contained in appendix III.



growers to alter their cultivation methods. Many growers are trying to avoid detection by taking evasive actions, such as cultivating smaller and scattered plots, spacing plants among other vegetation, using camouflage, and moving indoors.

Using greenhouses or buildings to cultivate marijuana indoors is becoming increasingly popular. A 1982 narcotics assessment by the Western States Information Network (WSIN)<sup>2</sup> of marijuana cultivation in California, Oregon, Hawaii, and Washington noted this trend. WSIN found that enforcement efforts have prompted cultivators to start indoor operations in each of those states, and that many of these growers are using sophisticated lighting and irrigation systems (such as high intensity lamps and hydroponics).<sup>3</sup>

The seizure of an indoor hydroponic growing operation in Cleveland, Ohio, illustrates the degree of sophistication that can be achieved. This hydroponic laboratory was housed on three floors of a commercial building and had a constant flowing nutrient system piped throughout from a 600-gallon tank. One floor, equipped with fluorescent lighting, was used as a starter area. The other two floors were for maturing plants and contained about 50 high-intensity lights. Drug agents seized over 400 marijuana plants, dried marijuana from drying rooms, several trash bags of manicured marijuana, and \$50,000 worth of equipment at the facility. According to DEA, individuals who are experts in such hydroponic plant growing are reportedly being recruited as consultants by other marijuana growers unfamiliar with hydroponic cultivation methods.

Responses to our questionnaire by states in DEA's program provide an indication of the extent that indoor cultivation has increased. Twenty-seven (73 percent) of the 37 state law enforcement agencies responding said the number of marijuana plants grown in greenhouses had increased during the past 3 years, and 22 (60 percent) said the number of plants cultivated indoors, excluding greenhouses, had increased during that same period. None of the agencies cited a decrease.

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<sup>2</sup>WSIN is one of seven Regional Information Sharing Systems (RISS) multistate projects funded by the Congress. It is designed to provide criminal information exchange, intelligence analysis, and other related operational support services to state and local law enforcement agencies in California, Oregon, Hawaii, Washington, and Alaska.

<sup>3</sup>Hydroponics is the cultivation of plants by placing the roots in liquid nutrient solutions rather than in soil.

We also asked the state law enforcement agencies to indicate in the questionnaire how much increase or decrease in marijuana cultivation, indoors and otherwise, they expect in their states during 1984 and 1985. The table below shows how the agencies responded.

Expectations for Marijuana Cultivation  
in 1984 and 1985

<u>Activity</u>	<u>Great increase</u>	<u>Increase</u>	<u>Neither increase nor decrease (percent)a</u>	<u>Decrease</u>	<u>Great decrease</u>
Cultivation of marijuana (excluding sinsemilla)	30	51	11	8	0
Cultivation of sinsemilla	51	38	8	3	0
Cultivation of marijuana plants in greenhouses	43	54	3	0	0
Cultivation of marijuana plants indoors (excluding greenhouses)	32	46	22	0	0

<sup>a</sup>Percentage of the 37 responding agencies participating in DEA's Domestic Marijuana Program. For percentages applicable to all responding agencies, see appendix III, p. 52.

As can be seen in the table above, most of the states expect the cultivation of domestic marijuana to continue to increase and more of it to be grown indoors in greenhouses and buildings.

ADDITIONAL RESOURCES NEEDED  
BY THE STATES

State law enforcement agencies state that a variety of additional resources are needed to achieve a greater impact on the domestic marijuana problem. Some states plan to allocate more resources but overall, the state agencies expect the planned increases to fall short of what is needed.

The state agencies indicated in our questionnaire the types of resources needed in their states. They also indicated whether their states plan to commit more of these resources in 1984 and 1985. The following table compares the number of responding state agencies in DEA's 1983 program that cited a

need for more resources with the number that said increases are planned.<sup>4</sup>

Resources Needed in 1984 and 1985 by States  
in DEA's Domestic Marijuana Program<sup>a</sup>

	<u>More resources needed</u>	<u>More resources planned</u>	<u>Resource commitment unknown</u>
	----- (Number of states) -----		
Eradication manpower	30	17	2
Fixed-wing aircraft	32	16	3
Troop-lift helicopters	23	7	11
Other types of helicopters	34	16	6
Off-road vehicles	34	15	4
Sophisticated equipment to locate marijuana plots	33	15	7
Equipment for eradicating plants	32	19	6
Investigative assistance	27	26	0
Intelligence collection and analysis assistance	36	29	0
Training	31	22	2

<sup>a</sup>Thirty-seven of the state agencies participating in DEA's 1983 program responded to our questionnaire. Not all of the 37 respondents answered every question. For responses from all responding agencies, see appendix III, pp. 66 and 67.

For each of the resources listed above, more states expressed a need than said an increase was planned. The resources most often identified as being needed were intelligence activities, helicopters, and off-road vehicles. Over half of the states citing a need for these three resources said their level of need was either critical or great. Most of the states plan to increase resources in the intelligence area. None of the states plan to decrease their level of commitment.

In response to another question, most states also indicated a continued need for federal funding to help support their efforts. Thirty of the 37 responding state law enforcement agencies said activities directed toward domestic marijuana in their states would decrease to some extent if federal funding and resources were eliminated. Three of these state agencies

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<sup>4</sup>Our questionnaire allowed the respondents to indicate the extent of their needs and of any planned increases or decreases in resources.

said eradication/suppression activities would not take place at all, 14 said there would be a very great decrease, and another 4 said activities would greatly decrease. Two-thirds of those citing a large reduction in eradication efforts without federal support also said that marijuana cultivation was a very major problem in their states.

#### CONCLUSIONS

The states that participated in DEA's 1983 domestic marijuana program reported little overall progress in reducing marijuana cultivation. According to the states, the effect of law enforcement efforts has been primarily to cause growers to shift their operations indoors or take other actions so outdoor crops will not easily be detected. Marijuana cultivation is expected to continue to increase in most of the states. State law enforcement agencies said a variety of additional resources are needed to increase their eradication and suppression efforts, both indoors and outdoors.

## CHAPTER 4

### DEPARTMENT OF DEFENSE AND NATIONAL

### GUARD RESOURCES CAN BE USED IN THE

### DOMESTIC MARIJUANA ENFORCEMENT PROGRAM

The National Guard and the Department of Defense (DOD) can legally provide certain resources, particularly air support, needed by many state and local agencies in their efforts to eradicate domestic marijuana being grown outdoors. Their support to agencies in DEA's 1983 program, however, was minimal.

While in a federally funded training status, National Guard units may provide direct helicopter support (transporting law enforcement personnel and marijuana plants) to law enforcement agencies for marijuana eradication raids. However, Guard units limited their assistance in this status to the spotting of marijuana plants when on aircraft training missions. A reason for the limited assistance may have been that Guard headquarters guidelines did not clearly state that units may provide direct assistance to civilian drug enforcement agencies while training. Some local Guard officials informed civilian agencies that National Guard guidelines prohibit such assistance.

Two state drug enforcement agencies received DOD assistance in support of domestic marijuana eradication activities. Many state law enforcement agencies involved in marijuana eradication told us that they either were not aware that DOD assistance may have been available or lacked information on how to request it.

### NATIONAL GUARD AND DOD RESOURCES ARE NEEDED BY STATE AND LOCAL AGENCIES

In response to our questionnaire, most state agencies cited a need for helicopters, airplanes, off-road vehicles, and other equipment to increase the impact of their efforts. Marijuana cultivators often plant their crops in remote areas, making them difficult to spot and eradicate. Ninety-two percent of the 37 responding agencies in DEA's program said information on marijuana plots sighted by Guard and DOD personnel while on routine military operations would be of great or very great value to their efforts. Seventy-eight percent of the agencies also said that allowing civilian law enforcement officers on board military training flights for the purpose of detecting marijuana plots would be valuable.

According to DEA, providing troop-lift helicopters with crews for marijuana eradication raids is the single greatest

contribution the Guard can make to the domestic marijuana program. This type of assistance is beneficial because troop-lift helicopters can insert raid teams in remote areas where marijuana is often grown and can remove both the teams and the confiscated plants from the raid sites.

DOD ASSISTANCE MAY  
BE AVAILABLE

The Congress recently has encouraged DOD to provide some assistance to civilian law enforcement authorities. While the Posse Comitatus Act (18 U.S.C. 1385) generally prohibits federal military participation in civilian law enforcement activities, legislation enacted<sup>1</sup> on December 1, 1981, provides exceptions to this prohibition. The 1981 legislation was prompted by concern over the massive smuggling of both drugs and illegal immigrants into the United States and the potential of the Posse Comitatus Act to restrict DOD assistance. As was noted in the December 16, 1981, Congressional Record:

"Clearly in these times of fiscal restraint, it is imperative that all possible resources be utilized to combat narcotics trafficking and all relevant agencies cooperate. Perhaps the greatest untapped resource is the Department of Defense."

The legislation authorizes certain specific forms of military cooperation with civilian law enforcement officials. For example, DOD may furnish information collected during the normal course of military operations that may pertain to a violation of federal or state law, lend equipment and facilities for law enforcement purposes, train civilian law enforcement officers in the operation and maintenance of loaned military equipment, and provide expert advice. The legislation prohibits direct participation by DOD personnel in searches, seizures, and arrests, unless otherwise authorized by law, and prohibits providing assistance if it will adversely affect military preparedness. The legislation also provides that DOD may require reimbursement as a condition for its assistance.

Certain types of authorized DOD assistance would be helpful to domestic marijuana eradication efforts. For example, DOD may provide state and local agencies with information on marijuana plots sighted during DOD training flights. It may loan equipment such as helicopters and off-road vehicles (requiring reimbursement for fuel, parts, and maintenance costs in some

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<sup>1</sup>Public Law No. 97-86, 95 Stat. 1099, 1114-1116 (1981) (10 U.S.C. 371-378).

instances), and can provide base facilities for training and storage. In addition, DOD personnel may train civilian authorities to operate DOD loaned equipment.

In accordance with the 1981 legislation, DOD published guidelines on March 22, 1982, regarding DOD cooperation with civilian law enforcement officials. These guidelines cited the authorized DOD assistance which may be provided to civilian law enforcement as cited on p. 27.

Law enforcement agencies have not capitalized on DOD assistance for marijuana eradication. Two states received DOD's help during 1983:

- One state was loaned a National Guard helicopter at the direction of DOD. The helicopter was used to transport officers quickly into an area difficult to reach on the ground. According to the state law enforcement agency, this assistance resulted in the eradication of over 10,000 marijuana plants and the arrest of the cultivators. The agency said that more of this support is needed.
- Working through a U.S. attorney, another state requested and received a loan of military compasses and night vision goggles for help with domestic marijuana investigations. Correspondence from a local Air Force officer in the U.S. attorney's district indicated that identifying marijuana plants during photography training flights and providing the information to civilian drug enforcement agencies are excellent ways to utilize data that is readily available.

Most state law enforcement agencies lacked adequate information about DOD assistance. In responding to our questionnaire, 11 of 37 agencies (30 percent) in DEA's program said they knew such assistance was available and how to obtain it. Twenty-six (70 percent) either did not know DOD assistance was available or were aware that it was available but did not know how to obtain it. When asked whether their states expect to request DOD support during 1984 and 1985, many of the agencies indicated a need for more information on the types of assistance that DOD can provide and/or the procedures for making a request.

#### LAWS AND REGULATIONS AFFECTING NATIONAL GUARD ASSISTANCE WHILE IN TRAINING STATUS

While the defense of the nation is the primary mission of the National Guard, it has the additional mission of assisting civil authorities in the preservation of life, the protection of

property, and maintenance of order. The National Guard unless in federal service is not restricted by the Posse Comitatus act from assisting states in their marijuana eradication efforts. However, when the Guard is training other legal restrictions exist. Although the National Guard has indicated a willingness to support drug enforcement and Guard units provided some assistance to states in 1983, some state Guard units are not sure of the extent of assistance the National Guard may provide while in federally funded training status.

#### Applicability of Posse Comitatus restrictions to the National Guard

The National Guard generally is not subject to the restrictions contained in the Posse Comitatus Act. This is because the Act only applies to the armed forces of the United States, and the National Guard generally is not treated as part of the armed forces unless called into federal service.

Congress has the Constitutional authority to provide for "calling forth the militia<sup>2</sup> to execute the laws" of the United States. Congress has exercised that authority by passing laws authorizing the President to call the militia of any state into federal service under certain conditions. Existing laws provide that when members of the National Guard are called into active federal service, they are subject to laws and regulations governing the armed forces (see e.g., 10 U.S.C. 3499 governing the Army National Guard). Therefore, a federalized Guard would appear to be subject to the Posse Comitatus Act.

The Guard also may be called into active service by a Governor in response to an emergency declared in accordance with state law. When this occurs, the Guard is considered part of the state militia and subject to state laws. Therefore, it would not be subject to restrictions contained in the Posse Comitatus Act and other federal statutes which apply only to the armed forces of the United States. Activities conducted while in state active duty status must be funded by the state and may include search, seizure, and transport of confiscated contraband. In an emergency declared by the Governor, National Guard equipment may be used.<sup>3</sup>

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<sup>2</sup>The terms National Guard and militia often are interchangeable. For example, 32 U.S.C. 101 (4) and (6) defines the National Guard as part of the organized militia of the states.

<sup>3</sup>National Guard equipment is owned by DOD.



The National Guard, in addition to being called into federal or state service, may be encamped for combat readiness training purposes (Title 32, U.S. Code). Although the Federal Government provides funds and supplies to the Guard for training, this does not necessarily determine its status when in training for purposes of the Posse Comitatus Act. The National Guard is defined in 32 U.S.C. 101 as that part of the state militia which is financed at federal expense. Also, members of the National Guard on unit training generally have been regarded by the courts as part of the state militia and not in United States service. Since the Posse Comitatus Act applies only to the armed forces, to the extent that the Guard generally is not considered part of the armed forces when in title 32 training, Posse Comitatus restrictions appear not to apply. This comports with Army regulations which provide that restrictions on military participation in civilian law enforcement do not apply to members of the Army National Guard when not in federal service.

Effect of federal funding on the extent  
of National Guard assistance

The funding of the National Guard, while in title 32 training status, by federal appropriations acts provides a direct and certain legal limitation on the Guard participating in civilian law enforcement activities. Federal funds provided to the Guard for training may only be used for activities related to the purposes for which the appropriation was made. Consequently, assistance in marijuana control efforts provided by the National Guard while in training status must be related to a training purpose. The National Guard Bureau<sup>4</sup> has recognized this limitation in a June 1983 letter providing drug enforcement guidelines to the state Adjutants General<sup>5</sup> by limiting assistance to that "incidental and compatible with scheduled training."

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<sup>4</sup>The National Guard Bureau is a joint agency of the Departments of Army and Air Force and participates with both Departments in developing and coordinating all programs affecting Guard units. The Bureau administers programs, and issues regulations for the training and development of the Army and Air Force Guards.

<sup>5</sup>A state Adjutant General, appointed by the governor in most states, is the state's senior officer over both Army and Air Force National Guard units, and is in the position of either National Guard Commander or Chief of Staff to the Governor, depending on state law.

### National Guard assistance provided

Under the limitations described above, it appears that there are a range of marijuana control activities which are compatible with training requirements. Guard officials have stated that certain eradication tasks are compatible with certain Guard training requirements. According to a National Guard headquarters aviation unit operations specialist, 10 of the 11 general training task categories that the Guard requires of helicopter crews are compatible with direct marijuana eradication support. These tasks include flight planning, aircraft hovering, and tactical and special mission tasks such as aerial observation, evasive maneuvers, and terrain flight takeoffs and approaches.

Also, National Guard officials in California and Hawaii, where Guard units provided direct support to marijuana eradication efforts, told us that such assistance provides good training for helicopter crews. According to Hawaii's Guard, the type of flying performed in support of the program constitutes realistic training for helicopter crews, and the tasks performed were closer to combat duty than any other type of training performed. The assistance in California and Hawaii was provided under a state of emergency after their governors declared that illegal drug operations represented a threat to the state populace requiring emergency measures. Therefore, while the training limitations do not apply, the testimony of Guard officials in these states is useful in explaining the degree to which eradication tasks resemble training requirements.

During 1983, all Guard support while in federal training status was limited to information gathering and sharing. Responses to our questionnaire disclosed that during 1983 the Guard assisted 14 states in their domestic marijuana control efforts. Support to 10 of the 14 states was in the form of information on the location of suspected marijuana fields detected during routine training flights. (As of December 1983, 16 state law enforcement agencies had entered into agreements with Guard units for this type of assistance. Seventeen additional state agencies were either engaged in discussions or developing agreements for this assistance.)

Guard assistance to three of the other states included the loan of night vision goggles, a fuel truck, and a Guard facility, as well as training in booby trap detection. Troop-lift helicopters with crews were provided for some marijuana eradication raids in California after the governor activated the Guard unit by declaring that California's marijuana production constituted a state of emergency. Such direct assistance was also

provided in Hawaii where the Governor also declared an emergency.<sup>6</sup> Twenty helicopter support missions in California contributed to the eradication of 218,576 pounds of marijuana and 12 arrests, and nine missions in Hawaii helped with the eradication of 140,710 marijuana plants.

Confusion exists concerning  
type of direct assistance  
authorized by guidelines

Some confusion exists among Guard units regarding the extent that the Guard may support civilian law enforcement and under what circumstances assistance may be provided. According to the National Guard Bureau June 1983 drug enforcement support guidelines, support to the marijuana program while in training status is "limited primarily to" providing information on the location of marijuana fields detected during routine training flights. Headquarters officials said guidelines permit units to provide direct assistance (transporting law enforcement personnel and confiscated contraband) to law enforcement agencies during training under certain circumstances including:

- Operations must be compatible with the unit's mission/ training tasks and must not interfere with scheduled training, although modification of preplanned routes and locations is allowable.
- The National Guard must obtain DOD's approval to transport civilian law enforcement officers in aircraft.
- Guard units cannot exceed the flying hours allocated for aircraft.

Most of the conditions are not cited in the drug enforcement guidelines. The state units, according to these officials, should have already been aware of these conditions because they had been published in general guidelines for providing direct assistance in the law enforcement areas.

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<sup>6</sup>Hawaii is not included in the 14 states referred to earlier which received Guard assistance. We excluded Hawaii's questionnaire responses from our statistical analysis because the agency that completed it was not able to answer for the entire state.

However, at three of the four state Guard units we contacted, officials told us that their interpretation of drug enforcement guidelines is that the only assistance they may provide while training is surveillance information gathered on routine training flights. The other Guard unit said that its mission was not compatible with the domestic marijuana operations.

In addition, followup contact with 17 state agencies on the basis of their questionnaire responses indicating some type of difficulty regarding Guard assistance revealed that other state Guard units interpreted headquarters' guidelines as prohibiting direct assistance. According to seven state agencies, they met with state Guard units during 1983 to discuss direct helicopter support and were informed by Guard officials that, on the basis of headquarters' guidelines, the only assistance the units were certain they could provide in support of the marijuana program while training was information gathering. Two of the agency officials said the local Guard units were willing to provide direct assistance but indicated that because the units had no clear-cut directives from headquarters, they were uncertain as to whether they could provide it. The units, according to agency officials, did not want to chance giving a type of assistance not in keeping with National Guard policy.

Two other state agencies said they never met with Guard officials because it was common knowledge that the Guard could not be used for law enforcement purposes unless the governor declared a state of emergency. Another state official reported that Guard assistance is unlikely without direct orders from DOD. Responses from the other seven state agencies were either too much "red tape" involved in requesting Guard assistance or that earlier difficulties had been resolved.

GREATER DEA SUPPORT AND COORDINATION  
ARE NEEDED TO HELP STATES OBTAIN  
MILITARY ASSISTANCE

DEA is the lead federal agency for the national Domestic Marijuana Eradication/Suppression Program. DEA's role in the program is one of leadership, coordination, and support to state and local authorities in their eradication efforts.

In exercising leadership, DEA provides program guidance to states to assist them with their individual domestic marijuana programs. DEA field coordinators are responsible for helping the states develop annual operations plans which request DEA funding and other resources. DEA also helps by coordinating with other federal agencies on the assistance they can provide state programs. As noted earlier, however, many state agencies

in DEA's program did not know how to obtain military assistance, or were not even aware that such assistance was available.

According to DEA headquarters officials, the field coordinators were unable to provide states with much information on DOD assistance in 1983. DEA said it was not certain of the type and extent of DOD assistance available and the procedures involved in requesting assistance. Although DEA and DOD had coordinated to some extent, DEA explained that it was still in the learning stage regarding what DOD could provide law enforcement agencies under Posse Comitatus and how to obtain the assistance DOD could supply.

During our evaluation, DEA made progress in this area. DEA updated its Domestic Marijuana Coordinator's Handbook during December 1983 to include a section on the types of DOD and Guard resources which may be available to assist the domestic marijuana program. The handbook is distributed to DEA field agents assigned coordination responsibilities for the domestic marijuana program.

#### CONCLUSIONS

The National Guard and DOD can help meet some of the states' needs for resources in their domestic eradication efforts. To date, however, such assistance has been minimal. Although DEA is responsible for providing guidance to state domestic marijuana programs concerning the availability of federal assistance, many state law enforcement agencies were not aware that military assistance was available or did not know how to request it. The 1983 revisions to DEA's Marijuana Coordinator's Handbook should help correct this problem.

In addition, National Guard Bureau guidelines to state Guard units regarding support to civilian drug enforcement activities caused some confusion, potentially limiting the extent of support provided during federally funded Guard training missions. The guidelines should make it clear that units while training, on a case-by-case basis, may provide needed troop-lift helicopters with crews to transport law enforcement officers and airlift marijuana plants--provided the assistance is consistent with National Guard training requirements.

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On March 27, 1984, we met with the Chief, National Guard Bureau to present our review results and our suggestion that the National Guard Bureau amend its drug enforcement support

guidelines to specify the types of direct assistance that Guard units in training are authorized to provide law enforcement authorities, and the conditions under which this type of assistance may be provided.

The Chief, National Guard Bureau adopted our suggestion. On April 25, 1984, the National Guard Bureau issued, to all state Guard units, a notice of Clarification of Guidance for Support to Drug/Law Enforcement. The clarification cites the types of direct assistance that Guard units in training may provide and the conditions under which they may be provided.

## CHAPTER 5

### STATE AND LOCAL AGENCIES PLAN TO INCREASE EMPHASIS ON INTELLIGENCE

One of the greatest needs identified by state law enforcement agencies for marijuana reduction efforts is intelligence collection and analysis. DEA's national program has emphasized the eradication of plants, and little intelligence has been gathered beyond detecting outdoor marijuana plots. Not much is known about the number of indoor growing operations, the extent to which large-scale criminal organizations are involved in cultivation and distribution, and the amount of marijuana that is distributed outside the area where it is grown. Knowledge of such activities is needed, however, because state law enforcement agencies expect greater indoor cultivation and more large-scale operations in the future. Greater intelligence collection and analysis should help law enforcement agencies direct their limited resources to those cultivation and distribution operations where enforcement efforts can make the greatest impact. Greater emphasis on intelligence is planned by many state law enforcement agencies.

### INTELLIGENCE IS IMPORTANT TO DRUG LAW ENFORCEMENT EFFECTIVENESS

The collection of adequate, timely, and reliable intelligence concerning drug trafficking operations contributes to the success of drug law enforcement. Accurate and up-to-date information enhances law enforcement's ability to assess the vulnerabilities of criminal organizations, forecast new developments in the illegal drug trade, evaluate the impact of previous law enforcement activities, and establish policies and strategies for enforcement actions. Analysis of intelligence is important to law enforcement agencies' decisionmaking process and provides a basis for allocating resources to specific drug enforcement activities.

Under Presidential Reorganization Plan No. 2 of 1973, DEA was tasked with developing and maintaining a nationwide drug intelligence system in cooperation with federal, state, and local officials. DEA is responsible for having an intelligence program for a nationally directed attack on drug abuse at all levels. This involves coordinating widely dispersed intelligence resources and facilitating the exchange of drug intelligence among federal, state, and local law enforcement agencies.

In DEA's 1983 Domestic Marijuana Eradication/Suppression Program, participating state and local law enforcement agencies

agreed through letters of agreement with DEA to gather and report intelligence relating to the illicit cultivation, possession, and distribution of domestic marijuana. DEA's field program coordinators were instructed that in addition to collecting statistics on the amount of marijuana eradicated, state programs should develop operational intelligence regarding cultivators, traffickers, and distribution systems for their own law enforcement use. Operations plans developed by each participating state were to include a description of the intelligence system that existed or was being prepared to develop this required intelligence.

INTELLIGENCE IS A SMALL PORTION  
OF THE STATES' EFFORTS

In response to the questionnaire, state agencies reported that domestic marijuana control activities resulted in a significant amount of effort (all resources) devoted to eradicating marijuana crops. Less effort was spent collecting and analyzing intelligence about domestic marijuana cultivation and distribution operations. The table below shows the average percent of effort spent on eradication and other domestic marijuana control activities by state and local agencies in 36 states that participated in DEA's 1983 program.

States' Domestic Marijuana  
Eradication/Suppression Efforts

<u>Activities</u>	<u>Percentage of efforts<sup>a</sup></u>
Eradication	47
Investigation	34
Intelligence collection and analysis	13
Public awareness	6
Other	(less than 1 percent)

<sup>a</sup>These percentages represent the mean averages and do not add up to 100 percent because of rounding.

As the table points out, eradication made up an average of 47 percent of the states' efforts compared to 13 percent for intelligence activities. Further analysis shows that about one-half of these states devoted at least 50 percent of their efforts to eradication, while three-fourths of the states devoted 15 percent or less of their efforts to collecting and analyzing intelligence.

State and local agencies were the most active agencies involved in gathering information about marijuana cultivators and distributors. On the basis of questionnaire responses, DEA



and the Regional Information Sharing System (RISS)<sup>1</sup> projects were involved in intelligence activities to a lesser extent. During our visits to four of the seven RISS projects, we found that three were gathering and compiling information from member agencies on domestic marijuana. Of those three, the Western States Information Network was the most active because it performed these intelligence functions on a routine basis.

LAW ENFORCEMENT AGENCIES HAVE  
LIMITED KNOWLEDGE OF DOMESTIC  
MARIJUANA OPERATIONS

Given the emphasis on eradicating plants, law enforcement agencies do not have a great amount of information about the domestic marijuana industry, particularly about the extent of indoor cultivation, the involvement of large criminal organizations, and the patterns of distribution. We asked the state agencies to indicate in our questionnaire the extent of knowledge that exists regarding various aspects of domestic marijuana cultivation and distribution in their states. The following chart summarizes the responses.

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<sup>1</sup>Congress funds seven multistate RISS projects which are designed to provide criminal information exchange and other related support services to member state and local law enforcement agencies in the 50 states.

### Extent of Knowledge in States<sup>a</sup>

<u>Area</u>	<u>Great or very great knowledge (percent)</u>	<u>Moderate knowledge (percent)</u>	<u>Little or no knowledge (percent)</u>
Extent of cultivation indoors	0	46	54
Extent of involvement in cultivation by large- scale criminal organizations	3	46	51
Extent of involvement in distribution by large-scale criminal organizations	5	51	43
Distribution patterns	6	47	47
Amount of domestic marijuana cultivated	24	54	22
Types of domestic marijuana cultivated	27	54	19

<sup>a</sup>Thirty-seven of the state agencies in DEA's program responded, except for "distribution patterns" in which 36 agencies responded. Some percentages do not add to 100 percent because of rounding. For percentages applicable to all responding agencies, see appendix III, p. 53.

The information the states have indicates that most cultivation and distribution operations are small-time, dealing in quantities far less than many organizations smuggling Colombian marijuana into the United States. In responding to our questionnaire, the state law enforcement agencies in DEA's program estimated that an average of 13 percent of the domestic marijuana cultivators and 14 percent of the distributors can be described as large-scale organizations.<sup>2</sup> The majority of the growers and distributors are, according to the states, small-time independent operators.

Although the questionnaire responses indicate that 47 percent of domestic marijuana is distributed locally (within the

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<sup>2</sup>Thirty-seven agencies representing 37 states provided an estimate for cultivators, and 36 gave an estimate for distributors.

same county), some agencies stated that it was distributed outside of the state. Seven state agencies stated that 50 percent or more of the marijuana grown in their states was distributed elsewhere. Two of these agencies, in Oregon and Nebraska, estimated that 90 percent was distributed in this manner, and the agency in Kentucky estimated that 80 percent was distributed outside of the state.

Not all operations are small--some are large and organized. Law enforcement agencies report that plots have been discovered containing tens of thousands of marijuana plants; brokers have been identified who locate buyers in advance of the growing season and then make arrangements with growers to supply the marijuana; and shipments of domestic marijuana to Canada, Japan, and South America have been reported. DEA has noted that some growers have formed organizations to protect their crops from law enforcement officials and others. For example, according to DEA, members of one such organization in Northern Arkansas have reportedly used dynamite rigged to electronic detonators to deter intruders.

More information on cultivation and distribution operations is needed

All 37 state agencies in DEA's program that responded to our questionnaire said that additional efforts are needed to collect and analyze intelligence regarding cultivators and distributors. Twenty-seven (73 percent) of the agencies said there should be a great or very great increase in these intelligence activities, and 29 state agencies said they plan to increase their intelligence effort.

Certain intelligence activities become particularly important as marijuana crops become harder to detect. As noted earlier (see p. 21), many growers are trying to avoid detection by taking various evasive actions and growing more plants indoors. This means locating plants from aircraft and through reports by citizens, the primary methods presently used, will become more difficult. Greater use of traditional drug enforcement techniques, such as relying on informants, will be needed--especially to uncover the whereabouts of indoor growing operations.

Increased intelligence efforts are also needed to better assess the extent that large-scale organizations are involved in cultivating and distributing marijuana. State law enforcement agencies said the majority of growers and distributors are small-time, independent operators. However, they said that the number of large-scale organizations involved in domestic marijuana operations has been increasing overall and will continue

to increase. Of the 37 agencies that responded to our questionnaire, 28 (76 percent) expect an increase in the number of large-scale organizations cultivating marijuana during 1984 and 1985, and 26 (70 percent) expect an increase in the number of large-scale organizations distributing the marijuana. None of the agencies expect a decrease. Intelligence activities identifying these operations and the violators involved may help law enforcement agencies decide how to allocate their resources. For example, if the expected increase in large-scale marijuana organizations occurs, law enforcement agencies may choose to spend resources investigating these operations rather than eradicating crops.

A law enforcement operation using intelligence to target people instead of crops took place in Hawaii, where domestic marijuana has been a problem for years. The purpose of this operation was to identify cultivation and distribution organizations for investigation. Law enforcement officials on the island of Hawaii, where most Hawaiian marijuana is grown, found that the majority of the marijuana was being shipped to either Honolulu on the island of Oahu or to the continental United States. The primary means of export was the U.S. mail. To combat this situation, DEA, the Hawaii County Police Department, and the U.S. Postal Service initiated Operation Pele in 1983 using a profile to identify suspected packages of marijuana. Packages meeting the profile were subjected to examination by narcotic detector dogs. In February 1984, DEA reported that the operation was essentially completed and had resulted in the successful investigation of marijuana traffickers.

#### CONCLUSIONS

On the basis of questionnaire responses, one of the greatest needs of law enforcement agencies to increase the impact of their efforts against domestic marijuana is for more intelligence about the domestic marijuana industry. States and local agencies have spent a large percentage of their efforts eradicating marijuana plants and less effort collecting and analyzing intelligence concerning cultivators, distributors, and their operations. Greater emphasis on intelligence is planned by many law enforcement agencies. This may help the agencies keep pace with the expected increase in indoor cultivation and large-scale cultivation and distribution organizations. More intelligence may help agencies direct their limited resources where the greatest impact can be achieved on the domestic marijuana industry.

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NINETY-EIGHTH CONGRESS

**Congress of the United States**  
**House of Representatives**

GOVERNMENT INFORMATION, JUSTICE, AND AGRICULTURE  
 SUBCOMMITTEE

OF THE  
 COMMITTEE ON GOVERNMENT OPERATIONS

8-348-C RAYBURN HOUSE OFFICE BUILDING  
 WASHINGTON, D.C. 20515

March 22, 1983

The Honorable Charles A. Bowsher  
 Comptroller General of the  
 United States  
 U.S. General Accounting Office  
 441 G Street, N.W.  
 Washington, D.C. 20548

Dear Mr. Bowsher:

I have recently become alarmed by the possibility that the illegal production of domestic marijuana may be greatly understated. The amount of marijuana reportedly eradicated by Federal and State agencies in 1982 is greater than the estimated amount of marijuana produced in that year. Obviously something is wrong.

This country must take a strong enforcement posture on all illegal drug operations. However, we must be particularly concerned with drugs that are totally domestic so as to convince other nations of our commitment to control drug abuse and encourage other nations to cooperate with us in our international goals.

Accordingly, I would like GAO to evaluate the current programs within the Drug Enforcement Administration and other appropriate Federal agencies which address the domestic marijuana problem. Specifically, I would like your staff to address:

- the current roles, responsibilities, and expenditures of the Federal agencies that assist State and local agencies with this problem;
- what the States' needs may be and how satisfied they are with the Federal assistance they currently receive;
- how States have used the changes in Posse Comitatus legislation to request military assistance in detecting marijuana growth;

-2-

The Honorable Charles A. Bowsher  
March 22, 1983

- how current intelligence estimates of domestic production are assembled and what intelligence methods are used to detect, destroy, and measure illegal domestic marijuana;
- to what extent Federal agencies use the multi-state regional intelligence networks to collect intelligence in this area.

You may contact Mr. William Lawrence of my staff to discuss more specific details as your review progresses. If warranted, the subcommittee will schedule hearings on this important issue when your work is completed.

Sincerely yours,

  
Glenn English  
Chairman

GE:wl:kar

FUNDS ALLOCATED TO STATES  
IN DEA'S DOMESTIC MARIJUANA  
ERADICATION/SUPPRESSION PROGRAM<sup>a</sup>  
1983

<u>States</u>	<u>Amount</u>
Alabama	\$ 41,000
Arizona	20,000
Arkansas	72,000
California	233,000
Colorado	44,500
Delaware	10,000
Florida	71,000
Georgia	103,000
Hawaii	112,470
Idaho	32,750
Illinois	25,000
Indiana	32,000
Iowa	7,500
Kansas	10,000
Kentucky	137,000
Louisiana	28,000
Maryland	17,000
Michigan	0
Minnesota	17,000
Mississippi	51,000
Missouri	33,000
Montana	4,300
Nebraska	9,000
New Mexico	23,000
North Carolina	60,000
North Dakota	0
Ohio	15,500
Oklahoma	50,100
Oregon	94,450
Pennsylvania	15,500
South Carolina	30,000
South Dakota	0
Tennessee	65,000
Texas	38,000
Utah	16,500
Virginia	53,000
Washington	96,700
West Virginia	65,500
Wisconsin	18,500
Wyoming	0
Total	<u>\$1,750,270</u>

<sup>a</sup>Four States in DEA's 1983 domestic marijuana eradication and suppression program did not receive DEA funds, however, according to DEA, they signed letters of agreement and received DEA-supported training.

**SUMMARY OF RESPONSES BY 47 STATE LAW  
ENFORCEMENT AGENCIES**

U.S. GENERAL ACCOUNTING OFFICE



Review of Domestic Marijuana Eradication/Suppression Program

The purpose of this questionnaire is to obtain information from your agency concerning domestic marijuana eradication/suppression efforts in your state. Our objectives are to determine what is known about the nature and extent of the domestic marijuana problem, to ascertain what eradication and suppression efforts are being undertaken in the states, to find out what states need to do to increase the effectiveness of their efforts, and to determine how satisfied the states are with the Federal assistance they are receiving.

The questionnaire is meant to be answered by an official(s) familiar with domestic marijuana eradication/suppression efforts in your state. When we refer to "your state" we mean not only the state law enforcement agency, but all involved Federal, state, and local agencies.

The questionnaire can be completed in about an hour. Most of the questions can be easily answered by checking boxes or filling in blanks. A few questions require a short written answer. Space has been provided and if necessary additional pages can be attached. Where records or figures are not readily available, we would like your best estimate.

Please return the completed questionnaire in the enclosed self-addressed envelope within 2 weeks, if possible. If you have any questions, please contact either Ron Viereck or Christine Broderick at 213-688-5033 or Lucy Hall at 202-633-1559.

Thank you for your participation and cooperation.

If the self-addressed envelope is misplaced, please mail the completed questionnaire to:

Mr. Ron Viereck  
U.S. General Accounting Office  
350 South Figueroa Street  
Suite 1010  
Los Angeles, CA 90071

PLEASE READ THE ENTIRE QUESTIONNAIRE BEFORE  
PROVIDING ANSWERS. THIS WILL ENABLE YOU  
TO MORE ACCURATELY COMPLETE THE QUESTIONNAIRE.  
YOU MAY CONSULT OTHER STATE/LOCAL OFFICIALS  
IN PROVIDING YOUR ANSWERS.

NOTE: The number of valid responses is in parentheses in the left-hand margin. Questionnaires were sent to 50 state law enforcement agencies responsible for domestic marijuana eradication and suppression efforts. Ten states were not in DEA's 1983 program.

In questions that have percentages as responses, we use the mean average unless otherwise indicated. The mean is the sum of all individual responses divided by the total number of states, and is often referred to as the "average." The mode is the response most frequently reported by all the states. The median is the response that falls in the middle once all responses have been ordered from lowest to highest--half the responses fall above the median and half fall below.



## I. NATURE AND EXTENT OF PROBLEM

To the best of your knowledge, please answer the following questions. GIVE YOUR BEST ESTIMATE.

1. Which of the following methods (if any) are most often used in your state to  
(46) determine the number of domestic marijuana plants eradicated? (CHECK ALL THAT APPLY.)

ID01 (1-2)  
CD01 (3-4)

1. [3] Measure the area and apply a standard formula (for example, number of plants per square yard could always be used) (PLEASE SPECIFY THE STANDARD FORMULA) (5-8)
2. [12] Count the number of plants along the length and width of each field and then multiply the two numbers
3. [42] Count every plant in the field
4. [4] Other (SPECIFY) \_\_\_\_\_

2. In 1983, what percent of the total number of domestic marijuana plants  
(46) eradicated in your state was cultivated using the sinsemilla technique (cultivating seedless female plants)? (GIVE YOUR BEST ESTIMATE.)

\_\_\_\_\_ % Sinsemilla MEAN - 28.0% MODE - 10.0% MEDIAN - 20.0% (9-11)

3. What percentage of the time does your state use each of the following methods to  
(46) determine the type of domestic marijuana plant eradicated (sinsemilla versus other types)? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL TO 100%.)

	PERCENTAGE	1/	
1. Visual inspection by officers trained to determine types of marijuana	55 %		(12-14)
2. Visual inspection by officers <u>not</u> trained to determine types of marijuana	17 %		(15-17)
3. Samples of seizures are taken to labs and analyzed	21 %		(18-20)
4. No determination is made	12 %		(21-23)
5. Other (SPECIFY) _____	0 %		(24-26)
	100%		

MEAN AVERAGES

4. In 1983, what percentage of detected marijuana plots have been or will be  
(46) eradicated? (GIVE YOUR BEST ESTIMATE.) MEAN - 87% MODE - 100% MEDIAN - 100%

\_\_\_\_\_ Percent (27-29)

1/Some percentages in this and other questions do not add to 100 percent because of rounding.

## APPENDIX III

## APPENDIX III

5. In 1983, what percentage of eradicated marijuana plots had the following plot (46) sizes? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL 100%.)

<u>PLOT SIZES</u>	<u>PERCENT OF ERADICATED PLOTS</u>	
1. 1 to 99 plants	57 %	(30-32)
2. 100-499 plants	29 %	(33-35)
3. 500-999 plants	8 %	(36-38)
4. 1,000 to 4,999 plants	5 %	(39-41)
5. 5,000 to 9,999 plants	.7 %	(42-44)
6. 10,000 or more plants	.7 %	(45-47)
100%		

6. In 1983, what percentage of the marijuana plots in your state were first (46) discovered by the following methods? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL 100%.)

<u>METHODS</u>	<u>PERCENT OF MARIJUANA PLOTS</u>	
1. Fixed-wing aircraft	22 %	(48-50)
2. Helicopters	16 %	(51-53)
3. Paid confidential informants	13 %	(54-56)
4. Officers sighting fields from ground	13 %	(57-59)
5. Citizen reports	33 %	(60-62)
6. Other (SPECIFY) _____	3 %	(63-65)
100%		

7. Please identify which of the following methods you believe offers great value in  
(47) first discovering the location of marijuana plots. (CHECK ALL THAT APPLY.)

ID02 (1-2)  
CD02 (3-4)

1. [31] Fixed-wing aircraft
  2. [31] Helicopters
  3. [31] Paid confidential informants
  4. [15] Officers sighting fields from ground
  5. [38] Citizen reports
  6. [5] Other (SPECIFY) \_\_\_\_\_
- (5-10)
8. Consider the following types of land which may be used to cultivate marijuana in  
(46) your state. In your opinion, what percentage of domestic marijuana is  
cultivated on each of the following types of land? (GIVE YOUR BEST ESTIMATE.  
PERCENTAGES MUST TOTAL TO 100%.)

TYPES OF LAND	PERCENT OF DOMESTIC MARIJUANA	
1. Land owned by grower	29 %	(11-13)
2. Land rented or leased by grower; or land used by grower with owner's permission	24 %	(14-16)
3. Trespassed land privately owned	26 %	(17-19)
4. Federal land	14 %	(20-22)
5. Public land other than Federal land	8 %	(23-25)
	100%	

9A. Whether or not there are any large-scale criminal organizations cultivating domestic marijuana in your state, which of the following factors does your state agency use to determine that an organization is large-scale? (CHECK ALL THAT APPLY AND DESCRIBE HOW THE FACTOR IS USED.)

1. [36] Number of People.....HOW MANY PEOPLE? (26-28)
2. [40] Number of Plants.....HOW MANY PLANTS? (29-34)
3. [27] Dollar Value.....HOW MANY DOLLARS? (35-42)
4. [19] Other (SPECIFY) (43)

9B. In your opinion, based on the definition you specified in question 9A, what percentage of domestic marijuana cultivators meet each of the following descriptions? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL TO 100%.)

DESCRIPTION	PERCENT OF CULTIVATORS MEETING DESCRIPTION	
1. Small-time independent growers	%	(44-46)
2. Small criminal organizations	%	(47-49)
3. Large-scale criminal organizations	%	(50-52)
4. Other (SPECIFY)	%	(53-55)
100%		

10A. Whether or not there are any large-scale criminal organizations distributing domestically grown marijuana in your state, which of the following factors does your state agency use to determine that an organization is large-scale? (CHECK ALL THAT APPLY AND DESCRIBE HOW THE FACTOR IS USED.)

1. [35] Number of People.....HOW MANY PEOPLE? (001) 1000 (56-58)
2. [36] Pounds of Plants.....HOW MANY POUNDS? (01) 100 (59-64)
3. [37] Dollar Value.....HOW MANY DOLLARS? (10) 1000 (65-72)
4. [38] Other (SPECIFY) (73)

10B. In your opinion, based on the definition you specified in question 10A, what percentage of domestic marijuana distributors meet each of the following descriptions? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL TO 100%.)

ID03 (1-2)  
CD03 (3-4)

DESCRIPTION	PERCENT OF DISTRIBUTORS MEETING DESCRIPTION	
1. Small-time independent distributors	10%	(5-7)
2. Small criminal organizations	10%	(8-10)
3. Large-scale criminal organizations	10%	(11-13)
4. Other (SPECIFY)	10%	(14-16)
100%		

11. In your opinion, what percentage of domestic marijuana cultivators and what percentage of domestic marijuana distributors traffic in the following quantities within a one-month timeframe? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL TO 100%.)

QUANTITIES	(11)	(12)	
	PERCENTAGE OF CULTIVATORS	PERCENTAGE OF DISTRIBUTORS	
1. Less than 1100 pounds	10%	10%	(17-22)
2. 1100 to 2200 pounds	10%	10%	(23-28)
3. Above 2200 pounds	10%	10%	(29-34)
100%		100%	

1/Number of states that specified how many states they had in mind.

12. In your opinion, what percent of the marijuana grown in your state is distributed to each of the following areas? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL TO 100%.)

10 % Local distribution (within the county) (35-37)

20 % State-wide distribution (excluding the local distribution) (38-40)

70 % Nation-wide distribution (outside the state) (41-43)

100%

13. Overall in comparison to activities which have occurred during the past 3 years, how much increase or decrease in your state has there been in each of the following activities? (FOR EACH ACTIVITY CHECK ONE COLUMN.)

ACTIVITY	AMOUNT OF INCREASE OR DECREASE					
	Great Increase	Increase	Neither Increase Nor Decrease	Decrease	Great Decrease	Don't Know
	1	2	3	4	5	6
1. Cultivation of marijuana (excluding sinsemilla)	( )	( )	( )	( )	( )	( )
						(44)
2. Cultivation of sinsemilla	( )	( )	( )			( )
						(45)
3. Number of marijuana plants cultivated in greenhouses	( )	( )	( )			( )
						(46)
4. Number of marijuana plants cultivated indoors (excluding greenhouses)	( )	( )	( )			( )
						(47)
5. Number of large-scale criminal organizations cultivating domestic marijuana	( )	( )	( )	( )		( )
						(48)
6. Number of large-scale criminal organizations distributing domestic marijuana	( )	( )	( )	( )		( )
						(49)

14. In your opinion during the next 2 years, how much increase or decrease do you expect for the following activities in your state? (FOR EACH ACTIVITY CHECK ONE COLUMN.)

ACTIVITY	AMOUNT OF INCREASE OR DECREASE				
	Great Increase	Increase	Neither Increase Nor Decrease	Decrease	Great Decrease
	1	2	3	4	5
1. Cultivation of (47) marijuana (excluding sinsemilla)	14 (30%)	23 (50%)	1 (1%)	1 (2%)	
					(50)
2. Cultivation of (48) sinsemilla	21 (44%)	20 (44%)	4 (9%)	1 (2%)	
					(51)
3. Number of marijuana (49) plants cultivated in greenhouses	17 (38%)	25 (54%)	3 (7%)		
					(52)
4. Number of marijuana (49) plants cultivated indoors (excluding greenhouses)	13 (28%)	20 (43%)	10 (22%)		
					(53)
5. Number of large-scale (49) criminal organiza- tions cultivating domestic marijuana	5 (11%)	28 (60%)	11 (24%)		1 (2%)
					(54)
6. Number of large-scale (49) criminal organiza- tions distributing domestic marijuana	1 (1%)	26 (56%)	13 (28%)		1 (2%)
					(55)

15. For each of the following time periods, how serious was the problem of growing  
(47) marijuana in your state? (FOR EACH TIME PERIOD CHECK ONE COLUMN.)

TIME PERIODS	SERIOUSNESS OF THE PROBLEM					
	Very Major Problem	Somewhat Of A Major Problem	Moderate Problem	Little Problem	No Problem	Don't Know
	1	2	3	4	5	6
1. 1983	11	12	11			1
						(56)
2. 1981-1982	11	14	17			
						(57)
3. 1975-1980	4	17	14	14	1	
						(58)
4. Prior to 1975	1	1	14	17	1	1
						(59)

16. Considering domestic marijuana cultivation and distribution in your state, how much knowledge does your state have in each of the following areas? (FOR EACH AREA CHECK ONE COLUMN.)

ID04 (1-2)

AREAS	AMOUNT OF KNOWLEDGE					CD04 (3-4)
	Very Great Knowledge 1	Great Knowledge 2	Moderate Knowledge 3	Little Knowledge 4	No Knowledge 5	
1. Amount of domestic (47) marijuana cultivated	1	9	26	54	1	(5)
2. Types of domestic (47) marijuana cultivated	1	10	25	54	1	(6)
3. Extent of cultivation (47) indoors	9	0	20	23	4	(7)
4. Extent of involvement (47) in cultivation by large-scale criminal organizations	0	1	21	21	4	(8)
5. Extent of involvement (47) in distribution by large-scale criminal organizations	0	4	22	15	6	(9)
6. Distribution patterns (46)	0	5	21	14	6	(10)

## II. ERADICATION/ENFORCEMENT EFFORTS

17. In what year did your state begin an organized effort to eradicate and suppress (41) domestic marijuana?

19 \_\_\_\_\_ 1983 - 12, 1982 - 8, 1981 - 4, Prior to 1981 - 12

(11-12)

18. Briefly describe the overall impact your state's eradication/suppression efforts (47) have had on domestic marijuana cultivation.

(13)

2 - No impact.

13 - Unable to assess impact or no answer provided.

32 - Cited various impacts. (The most common impact was to enhance cultivation methods--only one reduced marijuana cultivation.)



19. Considering the total amount of money spent in your entire state on domestic marijuana eradication/suppression efforts in 1983, how much was provided by the Federal, state and local governments? (FOR EACH LEVEL OF GOVERNMENT CHECK ONE ROW. GIVE YOUR BEST ESTIMATE.)

(14-16)

AMOUNT OF MONEY	LEVEL OF GOVERNMENT		
	Federal Government	State Government	Local Government
1. \$0 (No money provided)	11	6	15
2. \$1-\$1,000	0	3	5
3. \$1,001-\$5,000	3	3	5
4. \$5,001-\$10,000	5	6	3
5. \$10,001-\$25,000	5	4	3
6. \$25,001-\$50,000	7	7	0
7. \$50,001-\$100,000	9	8	1
8. More than \$100,000	4	5	1
9. Don't know	3	5	14

20. If the Federal government eliminated funding/resources to your state for its domestic marijuana eradication/suppression efforts, what effect would this have on activities in your state directed toward the domestic marijuana problem? (CHECK ONE BOX.)

(17)

1. ☒ Activities would not take place
2. ☒ Activities would very greatly decrease
3. ☒ Activities would greatly decrease
4. ☒ Activities would decrease
5. ☒ Activities would remain the same
6. ☒ Activities would increase
7. ☒ Activities would greatly increase
8. ☒ Activities would very greatly increase

21. In comparison to your state's efforts to reduce illegal trafficking in other  
(47) drugs, how much higher or lower is the priority placed by your state on domestic  
marijuana eradication/suppression efforts? (CHECK ONE BOX.)

(18)

1. ☒ Much higher priority
2. ☐ Higher priority
3. ☐ About the same priority
4. ☐ Lower priority
5. ☐ Much lower priority

22. Considering the domestic marijuana eradication/suppression efforts by state and  
(45) local agencies in your state. What percentage of the efforts are made in each  
of the following activities? (By efforts we mean all resources expended. GIVE  
YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL TO 100%.)

ACTIVITIES	PERCENTAGE OF EFFORT	
1. Eradication	43 %	(19-21)
2. Investigation	37 %	(22-24)
3. Intelligence collection and analysis	14 %	(25-27)
4. Public awareness	6 %	(28-30)
5. Other (SPECIFY) _____	_____ %	(31-33)
	100%	

23. In 1983, which agencies provided the following types of assistance to your state's domestic eradication/suppression efforts? (FOR EACH AGENCY CHECK ALL TYPES OF ASSISTANCE PROVIDED.)

		1983								
		Invest- igation	Intell- igence	Funds	Erad- ication Man- power	Aerial Support	Off- Road Vehicle	Erad- ication Equip- ment	Train- ing	Nothing
AGENCIES		1	2	3	4	5	6	7	8	9
1.DEA (47)		31	38	34	16	12	3	6	31	2
2.U.S. (46)										
Forest Service		3	15	12	8	5	4	4	0	28
3.Bureau of (46)										
Land Man- agement		1	6	4	2	1	1	1	2	37
4.F.B.I. (46)		12	14	0	2	3	0	0	1	28
5.Bureau of (46)										
Alcohol, Tobacco, and Firearms		11	13	0	1	0	0	0	2	27
6.U.S. (46)										
Customs		4	12	0	0	5	1	1	3	28
7.Coast (46)										
Guard		1	5	0	0	1	0	0	0	40
8.State (47)										
National Guard		0	13	0	0	12	2	3	1	31
9.State law (47)										
enforce- ment agencies		40	47	25	35	31	27	23	24	1
10.Other (44)										
state agencies		10	23	3	0	11	1	4	0	1

QUESTION 23 CONTINUES ON THE NEXT PAGE

## CONTINUATION OF QUESTION 23

1983										ID08 (1-2)
AGENCIES	Invest- igation	Intell- igence	Funds	Eradi- cation Man- power	Aerial Support	Off- Road Vehicle	Eradi- cation Equip- ment	Train- ing	Nothing	CD08 (3-4)
1	2	3	4	5	6	7	8	9		
11. Local law (47) enforcement agencies	17	44	7	17	8	21	16		2	(5-13)
12. Regional (47) Information Sharing Systems project (WSIN, NESPIN, ROCIC, MAGLOCLEN/ MOCIC, RMIN)		22	5		2	0	2	3	22	(14-22)
13. El Paso (43) Intelli- gence Center (EPIC)	1	20	0	0	0	0	0	2	20	(23-31)
14. Other (4) (SPECIFY)	1	7			1	0			0	ID09 (1-2) CD09 (3- ) (5-13)

24. Did your state receive DEA funds for your state's marijuana eradication/  
(47) suppression efforts in 1983? (CHECK ONE BOX.)

1. ☒ Yes.....CONTINUE TO QUESTION 25

2. ☐ No.....SKIP TO QUESTION 27

25. Which of the following best describes your state's participation with DEA in  
(44) formulating the 1983 marijuana eradication/suppression operation plan for your  
state? (CHECK ONE BOX.)

1. ☐ Was never contacted by DEA regarding an operation plan

2. ☐ Provided some input to DEA for the plan

3. ☐ Worked closely with DEA in formulating the plan

4. ☐ Formulated the plan and submitted it to DEA

26. In comparison to 1983, briefly describe how (if at all) your state would like to participate with DEA in formulating your state's 1984 marijuana eradication/suppression operation plan.

10 - Satisfied with planning in 1983.

(16)

5 - Would like planning earlier in year.

7 - Other responses providing various suggestions.

27. Considering DEA's available resources, in 1983 how satisfied or dissatisfied was your state with each of the following types of assistance DEA may have provided for your state's domestic marijuana eradication/suppression efforts? (FOR EACH TYPE OF ASSISTANCE CHECK ONE COLUMN.)

		LEVEL OF SATISFACTION OR DISSATISFACTION					
		Very Satisfied	Satisfied	Neither Satisfied Nor Dissatisfied	Dissatisfied	Very Dissatisfied	No Assistance Provided
ASSISTANCE		1	2	3	4	5	6
1. Investigative	(45)	7 (16%)	17 (38%)	7 (16%)	1 (2%)		12 (28%)
2. Intelligence	(45)	3 (7%)	17 (38%)	13 (29%)	1 (2%)		6 (14%)
3. Funds	(47)	11 (24%)	10 (22%)	3 (7%)	1 (2%)	4 (9%)	12 (28%)
4. Eradication manpower	(47)	2 (4%)	10 (22%)	5 (11%)	1 (2%)	1 (2%)	22 (49%)
5. Aerial support	(46)	2 (4%)	10 (22%)	4 (9%)	1 (2%)		24 (53%)
6. Eradication equipment	(46)	4 (9%)	10 (22%)	3 (7%)	1 (2%)		20 (45%)
7. Training	(47)	4 (9%)	11 (24%)	3 (7%)	2 (4%)		14 (31%)

28. Briefly discuss DEA assistance with which your state was particularly satisfied or dissatisfied. In your opinion, what changes should DEA make (if any) so that your state can improve its domestic marijuana eradication/suppression efforts? (24)

11 - Satisfied

14 - Dissatisfied

13 - Satisfied with some components of DEA assistance and dissatisfied with other components of the assistance.

29. Are you aware that assistance from the state National Guard may be available to assist law enforcement agencies in your state's domestic marijuana eradication/suppression efforts? (CHECK ONE BOX.) (25)

1. ☒ Yes, I am aware and I know how to obtain assistance

2. ☐ Yes, I am aware, but I do not know how to obtain assistance

3. ☐ No, I am not aware that state National Guard assistance is available

30. In 1983 was assistance needed in your state by any law enforcement agency from the state National Guard for its domestic marijuana eradication/suppression efforts? (CHECK ONE BOX.) (26)

1. ☒ Yes, state National Guard assistance was needed and requested...CONTINUE TO QUESTION 31

2. ☐ Yes, state National Guard assistance was needed, but no request was made (PLEASE EXPLAIN WHY NO REQUEST WAS MADE, THEN SKIP TO QUESTION 33) (27)

3. ☐ No, state National Guard assistance was not needed...SKIP TO QUESTION 33

4. ☐ Not sure how the state National Guard could assist the state's efforts...SKIP TO QUESTION 33

31. Briefly discuss the assistance (if any) which the state National Guard made to the domestic marijuana eradication/suppression efforts in your state during 1983. If the state National Guard responded to your request, please describe the frequency, types, and results of assistance provided. If the state National Guard did not provide assistance, give the reason(s) why.

6 - No assistance provided

(28)

14 - Received National Guard assistance

32. Briefly describe any difficulties encountered in requesting state National Guard assistance or with assistance actually provided during 1983. (IF NO DIFFICULTIES WERE ENCOUNTERED, WRITE "NOT APPLICABLE".)

11 - No difficulties

(29)

6 - Difficulties with request only

2 - Difficulties with assistance only

1 - Difficulties with both request and assistance

33. Whether or not the state National Guard provided assistance, how valuable would each of the following types of state National Guard assistance be in your state's domestic marijuana eradication/suppression efforts? (FOR EACH TYPE OF ASSISTANCE CHECK ONE COLUMN.)

		AMOUNT OF VALUE					ID10 (1-2)
		Very Great Value	Great Value	Moderate Value	Some Value	Little Or No Value	CD10 (3-4)
TYPES OF ASSISTANCE		1	2	3	4	5	
1. Loan of troop-lift		15	11	5	5	2	
(45) helicopters							(5)
2. Loan of other types		18	12	7	5	4	
(46) of helicopters							(6)
3. Loan of fixed-wing		13	7	10	6	7	
(43) aircraft							(7)
4. Loan of other equip-		15	10	3	1	7	
(36) ment (SPECIFY) (e.g., 4-wheel drive trucks, night goggles)							(8)
5. Use of base or other		1	4	7	14	18	
(44) facilities							(9)
6. Eradication manpower		12	10	8	6	10	
(46)							(10)
7. Training and/or		10	13	9	5	6	
(43) advice regarding loaned equipment							(11)
8. Providing information		33	11	2	1	0	
(47) on plots sighted by state National Guard personnel during military operations							(12)
9. On state National		28	6	7	3	2	
(46) Guard training flights, allow civilian law enforcement officers onboard for the purpose of detecting marijuana plots							(13)
10. Other (SPECIFY)		3	0	0	0	0	
(3)							(14)



34. During the next two years how likely is it that your state will receive assistance from the state National Guard in your state's domestic marijuana eradication/suppression efforts? What types of assistance does your state expect to receive? If your state does not expect to receive state National Guard assistance, why not?

7 - No assistance to be received

(15)

21 - Receiving assistance is possible/likely

13 - Receiving assistance is possible if certain conditions change

35. Are you aware that assistance from the Department of Defense may be available to assist law enforcement agencies in your state's domestic marijuana eradication/suppression efforts? (CHECK ONE BOX.)

1. ☒ Yes, I am aware and I know how to obtain assistance

(16)

2. ☐ Yes, I am aware, but I do not know how to obtain assistance

3. ☐ No, I am not aware that Department of Defense assistance is available

36. In 1983 was assistance needed in your state by any law enforcement agency from the Department of Defense for its domestic marijuana eradication/suppression efforts? (CHECK ONE BOX.)

1. ☐ Yes, Department of Defense assistance was needed and requested...CONTINUE TO QUESTION 37

(17)

2. ☐ Yes, Department of Defense assistance was needed, but no request was made (PLEASE EXPLAIN WHY NO REQUEST WAS MADE, THEN SKIP TO QUESTION 39)

(18)

3. ☐ No, Department of Defense assistance was not needed...SKIP TO QUESTION 39

4. ☐ Not sure how the Department of Defense could assist the state's efforts...SKIP TO QUESTION 39

37. Briefly discuss the assistance (if any) which the Department of Defense made to the domestic marijuana eradication/suppression efforts in your state during 1983. If the Department of Defense responded to your request, please describe the frequency, types, and results of assistance provided. If the Department of Defense did not provide assistance, give the reason(s) why.

2 - No DOD assistance provided

(19)

1 - Received DOD assistance 1/

38. Briefly describe any difficulties encountered in requesting Department of Defense assistance or with any assistance actually provided during 1983. (IF NO DIFFICULTIES WERE ENCOUNTERED, WRITE "NOT APPLICABLE".)

1 - No difficulties

(20)

2 - Difficulties with request

1/According to DEA and FBI, Attorneys General, and other state personnel assistance (for a total of two). The answer in that state did not mention this in responding to our questionnaire.

39. Whether or not the Department of Defense provided assistance, how valuable would each of the following types of Department of Defense assistance be in your state's domestic marijuana eradication/suppression efforts? (FOR EACH TYPE OF ASSISTANCE CHECK ONE COLUMN.)

TYPES OF ASSISTANCE	AMOUNT OF VALUE				
	Very Great Value 1	Great Value 2	Moderate Value 3	Some Value 4	Little Or No Value 5
1.Loan of troop-lift (43) helicopters	14	10	4	5	10
2.Loan of other types (44) of helicopters	13	11	3	7	7
3.Loan of fixed-wing (45) aircraft	12	9	4	4	10
4.Loan of other equip- (46) ment (SPECIFY) _____		10	4	2	9
5.Use of base or other (41) facilities	4	4	2	4	17
6.Eradication manpower (46)	10	11	6	4	14
7.Training and/or (44) advice regarding loaned equipment	12	12	7	7	4
8.Providing information (47) on plots sighted by Department of Defense personnel during military operations	20	11	2	1	1
9.On Department of (46) Defense training flights, allow civilian law enforce- ment officers onboard for the purpose of detecting marijuana plots	14	7	4	4	4
10.Other (SPECIFY) _____ (3)					

40. During the next two years, does your state expect to request assistance from the Department of Defense in your state's domestic marijuana eradication/suppression efforts? What types of assistance does your state expect to request? If your state does not expect to request Department of Defense assistance, why not?

(31)

11 - No DOD assistance to be requested

9 - Requesting assistance is expected

18 - Requesting assistance is possible

41. Consider your state's overall needs (if any) for more resources during the next 2 years to increase the effectiveness of its domestic marijuana eradication/suppression efforts. To what extent are each of the following needed in your state? (FOR EACH RESOURCE CHECK ONE COLUMN.)

ID11 (1-2)  
CD11 (3-4)

RESOURCES	LEVEL OF NEED				
	Critical Need 1	Great Need 2	Moderate Need 3	Some Need 4	Little Or No Need 5
1. Eradication manpower (43)	1 (11%)	10 (22%)	15 (33%)	13 (28%)	2 (4%)
2. Fixed-wing aircraft (45)	10 (22%)	11 (24%)	12 (27%)	7 (15%)	5 (11%)
3. Troop-lift (44) helicopters	8 (17%)	9 (20%)	8 (18%)	11 (24%)	14 (31%)
4. Other types of (44) helicopters	1 (2%)	10 (22%)	11 (24%)	11 (24%)	3 (7%)
5. Off-road vehicles (45)	1 (2%)	12 (27%)	16 (35%)	6 (13%)	3 (7%)
6. Sophisticated equip- (46) ment to locate marijuana plots (e.g., LORAN-C, infra-red photography)	16 (35%)	17 (37%)	6 (13%)	4 (9%)	1 (2%)
7. Equipment for (46) eradicating plants	2 (4%)	13 (29%)	14 (31%)	6 (13%)	7 (15%)
8. Investigative (45) assistance	4 (9%)	7 (15%)	13 (29%)	6 (13%)	11 (24%)
9. Intelligence (47) collection and analysis assistance	12 (26%)	14 (31%)	14 (31%)	6 (13%)	1 (2%)
10. Training (SPECIFY) (44)	9 (19%)	1 (2%)	15 (33%)	6 (13%)	6 (13%)
11. Other (SPECIFY) (2)					

42. In comparison to 1983, how much increase or decrease in the following resources and activities does your state plan to commit for your domestic marijuana eradication/suppression efforts in the next 2 years? (FOR EACH STATE/LOCAL RESOURCE CHECK ONE COLUMN.)

		AMOUNT OF INCREASE OR DECREASE					
STATE/LOCAL RESOURCES		Great Increase	Increase	No Change	Decrease	Great Decrease	Don't Know
		1	2	3	4	5	6
1. Eradication (46) manpower		3 (7%)	17 (37%)	22 (48%)	0	0	4 (9%)
							(16)
2. Fixed-wing (46) aircraft		3 (7%)	16 (35%)	22 (48%)	0	0	5 (11%)
							(17)
3. Troop-lift (43) helicopters		1 (2%)	6 (14%)	22 (51%)	0	0	14 (33%)
							(18)
4. Other types of (44) helicopters		3 (7%)	14 (32%)	18 (41%)	0	0	9 (21%)
							(19)
5. Off-road (46) vehicles		4 (9%)	15 (33%)	21 (46%)	0	0	6 (13%)
							(20)
6. Sophisticated (44) equipment to locate marijuana plots (e.g., LORAN-C, infra-red photography)		4 (9%)	13 (30%)	18 (41%)	0	0	9 (21%)
							(21)
7. Equipment for (46) eradicating plants		2 (4%)	19 (41%)	17 (37%)	0	0	8 (17%)
							(22)
8. Investigative (46) assistance		4 (9%)	25 (54%)	15 (33%)	0	0	2 (4%)
							(23)
9. Intelligence (47) collection and analysis assistance		8 (17%)	21 (55%)	11 (23%)	0	0	2 (4%)
							(24)
10. Training (38) (SPECIFY) _____		3 (8%)	21 (55%)	10 (26%)	0	0	4 (11%)
							(25)
11. Other (0) (SPECIFY) _____		0	0	0	0	0	0
							(26)

## III. INTELLIGENCE

43. To the best of your knowledge, please indicate which intelligence activities (if any) each of the following agencies conducted in 1983 to help make cases against cultivators and distributors of domestic marijuana in your state. (FOR EACH AGENCY CHECK ALL COLUMNS THAT APPLY.)

AGENCIES	INTELLIGENCE ACTIVITIES						ID12 (1-2) CD12 (3-4)
	Actively Gathers Intelli- gence	Collects Intelli- gence From Other Agencies	Analyzes Intelli- gence	Dissem- inates Intelli- gence	No Intelli- gence Activities	Don't Know	
	1	2	3	4	5	6	
1. DEA (47)	22	22	16	30	5	5	(5)
2. U.S. Forest (47) Service	8	1	1	11	9	25	(6)
3. Bureau of Land (47) Management	3	0	0	2	15	27	(7)
4. Other Federal (41) agencies (SPECIFY) _____	7	5	5	7	7	22	(8)
5. State law (47) enforcement agency	41	35	28	35	0	0	(9)
6. Local law (47) enforcement agencies	40	16	13	27	0	3	(10)
7. Regional (47) Information Sharing System project (WSIN, NESPIN, ROCIC, MAGLOCLIN, MOCIC, RMIN)	10	18	14	17	5	22	(11)

44. In comparison to the commitment each of the following agencies make in their total domestic marijuana eradication/suppression effort, how much effort does each agency make to actively gather intelligence (not including the collection of intelligence gathered by other agencies) to help make cases against cultivators and distributors of domestic marijuana in your state? (FOR EACH AGENCY CHECK ONE COLUMN.)

		AMOUNT OF EFFORT				
		Very Great Effort	Great Effort	Moderate Effort	Little Effort	No Effort
AGENCIES		1	2	3	4	5
1. DEA	(44)	6	9	15	10	4
2. U.S. Forest Service	(39)	1	3	4	8	23
3. Bureau of Land Management	(39)	0	1	5	2	41
4. Other Federal agencies (SPECIFY)	(36)	2	3	4	9	17
5. State law enforcement agency	(47)	19	16	11	1	3
6. Local law enforcement agencies	(47)	9	16	18	4	3
7. Regional Information Sharing System project (WSIN, NESPIN, ROCIC, MAGLOCLEN, MOCIC, RMIN)	(42)	3	3	8	6	22

(12)

(13)

(14)

(15)

(16)

(17)

(18)



45. Please identify which agency(s) gathers most of the intelligence used to help make cases against cultivators and distributors of domestic marijuana in your state. (CHECK ALL THAT APPLY.)

(19-25)

1. ☒ [18] DEA
2. ☒ [2] U.S. Forest Service
3. ☒ [0] Bureau of Land Management
4. ☒ [3] Other Federal agencies (SPECIFY) \_\_\_\_\_
5. ☒ [46] State law enforcement agency
6. ☒ [37] Local law enforcement agencies
7. ☒ [7] Regional Information Sharing System project (WSIN, NESPIN, ROCIC, MAGLOGLEN, MOCIC, RMIN)

46. In your opinion in comparison to current efforts in your state to collect and analyze intelligence regarding domestic marijuana cultivators and distributors, how much additional effort should be made? (FOR EACH TYPE OF VIOLATOR CHECK ONE COLUMN.)

VIOLATORS	HOW MUCH ADDITIONAL EFFORT?				
	No Increase In Effort	Little Increase	Moderate Increase	Great Increase	Very Great Increase
	1	2	3	4	5
1. Cultivators	1 (2%)	3 (6%)	9 (19%)	26 (55%)	8 (17%)
2. Distributors	0	2 (4%)	12 (26%)	24 (51%)	3 (19%)

(26)

(27)

47. Does one Federal, state, local or regional organization store and analyze intelligence regarding domestic marijuana cultivation and distribution for your state? (CHECK ONE BOX.)

(28)

1. ☒ [31] Yes...CONTINUE TO QUESTION 48
2. ☒ [16] No....SKIP TO QUESTION 49

48. Please provide the following information about the organization which stores and analyzes intelligence regarding domestic marijuana cultivation and distribution for your state.

a. Name of Organization state agency - 25; RIN - 3; other - 3

b. Is this organization a Regional Intelligence Sharing System project (WSIN, NESPIN, ROCIC, MAGLOGLEN, MOCIC, RMIN) or a member of a regional project?

(29)

1. ☒ [27] Yes
2. ☒ [3] No
3. ☒ [1] Don't know

c. Is this organization a member of the El Paso Intelligence Center (EPIC)?

(30)

1. ☒ [29] Yes
2. ☒ [2] No
3. ☒ [0] Don't know

49. In your opinion, whether or not one organization stores and analyzes intelligence regarding domestic marijuana cultivation and distribution for your state, what organization would best fulfill this role? (CHECK ONE BOX.) (31)
1. ☒ [3] DEA office.....SKIP TO QUESTION 51
  2. ☒ [1] EPIC (El Paso Intelligence Center).....SKIP TO QUESTION 51
  3. ☒ [6] Regional Intelligence Sharing System project (WSIN, NESPIN, ROCIC, MAGLOLEN, MOCIC, RMIN).....SKIP TO QUESTION 51
  4. ☒ [35] State law enforcement agency.....CONTINUE TO QUESTION 50
  5. ☒ [2] Other (SPECIFY) \_\_\_\_\_ CONTINUE TO QUESTION 50
50. Please answer the following two questions about this law enforcement agency. (37)
- a. Is this organization a member of a Regional Intelligence Sharing System project (WSIN, NESPIN, ROCIC, MAGLOLEN, MOCIC, RMIN)? (32)
1. ☒ [29] Yes
  2. ☒ [6] No
  3. ☒ [2] Don't know
- b. Is this agency a member of the El Paso Intelligence Center (EPIC)? (33)
1. ☒ [35] Yes
  2. ☒ [2] No
  3. ☒ [0] Don't know
51. In your opinion, how great is the need to have one organization to store and analyze intelligence regarding domestic marijuana cultivation and distribution for your state? (CHECK ONE BOX.) (34)
1. ☒ [22] Very great need
  2. ☒ [15] Great need
  3. ☒ [8] Moderate need
  4. ☒ [2] Little need
  5. ☒ [0] No need

IV. INVESTIGATIONS AND FORFEITURE OF ASSETS

- (47) 52. Has your state adopted laws (either civil or criminal) authorizing the seizure and forfeiture of conveyances such as boats, airplanes, and cars which serve to facilitate the exchange of contraband? (CHECK ONE BOX.)

ID13 (1-2)  
CD13 (3-4)

1. ☒ Yes, civil law
2. ☒ Yes, criminal law
3. ☒ Yes, both civil and criminal law
4. ☐ Proposed legislation is currently before the state legislature
5. ☐ No
6. ☐ Do not know

(5)

- (47) 53. Has your state adopted laws (either civil or criminal) authorizing the seizure and forfeiture of property (such as real estate, legitimate businesses, etc.), profits proceeds or other interests which are derived from engaging in drug trafficking or other drug related offenses (similar to Federal law 18 USC 848)? (CHECK ONE BOX.)

(6)

1. ☒ Yes, civil law
2. ☐ Yes, criminal law
3. ☐ Yes, both civil and criminal law
4. ☐ Proposed legislation is currently before the state legislature
5. ☒ No
6. ☐ Do not know

54. To the best of your knowledge, how frequently have the following assets been seized and forfeited in raids and investigations involving domestic marijuana cultivation or distribution in your state? (FOR EACH ASSET CHECK ONE COLUMN.)

ASSETS	FREQUENCY OF SEIZURE AND FORFEITURE					
	Always Or Almost Always	Frequently	Sometimes	Seldom	Never Or Almost Never	
	1	2	3	4	5	
1. Automobiles and trucks	4	11	15	10	7	(7)
2. Airplanes	3	1	4	10	29	(8)
3. Equipment	9	9	13	6	10	(9)
4. Land	0	1	1	6	30	(10)
5. Houses and buildings	0	1	1	5	40	(11)
6. Businesses	0	1	1	3	42	(12)
7. Money	7	7	16	7	10	(13)

55. For each of the following assets, what type of law(s) is used when asset seizures and forfeitures are involved in domestic marijuana cultivation and/or distribution cases in your state? (FOR EACH TYPE OF ASSET CHECK ONE COLUMN.)

ASSETS	WHAT TYPE OF LAW IS USED?						
	Always Or Almost Always State Law	Usually State Law	Equally Federal Or State Law	Usually Federal Law	Always Or Almost Always Federal Law	No Seizures Made	
	1	2	3	4	5	6	
1. Automobiles (47) and trucks	20	14	5	2	2	4	(14)
2. Airplanes (46)	7	8	4	3	2	22	(15)
3. Equipment (47)	16	15	3	3	2	8	(16)
4. Land (46)	4	0	4	4	1	33	(17)
5. Houses or (47) buildings	4	0	1	4	1	33	(18)
6. Businesses (47)	3	0	4	4	2	34	(19)
7. Money (47)	15	13	7	3	2	7	(20)

56. For each of the following assets, do Federal or state/local agencies maintain control of seized and forfeited assets in domestic marijuana cultivation and/or distribution cases? (FOR EACH TYPE OF ASSET CHECK ONE COLUMN?)

		WHAT AGENCIES MAINTAIN CONTROL?					
		Always Or Almost Always State/ Local	Usually State/ Local	Equally Federal Or State/ Local	Usually Federal	Always Or Almost Always Federal	No Seizures Made
ASSETS		1	2	3	4	5	6
1. Automobiles (47) and trucks		19	13	7	1	3	4
2. Airplanes (46)		8	7	3	3	3	22
3. Equipment (46)		18	11	4	2	3	8
4. Land (46)		5	2	0	4	2	33
5. Houses or (46) buildings		4	1	1	4	3	33
6. Businesses (46)		2	2	1	3	4	34
7. Money (46)		12	13	10	0	4	7

57. How much investigative assistance (if any) do your state and local law enforcement agencies receive from each of the following Federal agencies to seize and forfeit domestic marijuana cultivator and/or distributor assets? (FOR EACH AGENCY CHECK ONE COLUMN.)

		AMOUNT OF INVESTIGATIVE ASSISTANCE CURRENTLY RECEIVED				
		Very Great Assistance	Great Assistance	Moderate Assistance	Little Assistance	No Assistance
AGENCIES		1	2	3	4	5
1. DEA (47)		4	11	8	8	16
2. Bureau of Alcohol, (47) Tobacco, and Firearms		1	2	5	5	34
3. Federal Bureau of (47) Investigation		1	2	6	4	34
4. U.S. Attorneys (47)		2	15	8	14	8
5. Internal Revenue (46) Service		0	5	12	11	18
6. Other (SPECIFY) (1)		0	0	1	0	0

58. How much of an increase or decrease in investigative assistance would your state and local law enforcement agencies like to receive from each of the following Federal agencies to seize and forfeit domestic marijuana cultivator and/or distributor assets? (FOR EACH AGENCY CHECK ONE COLUMN.)

ID14 (1-2)

CD14 (3-4)

		AMOUNT OF INCREASE OR DECREASE IN ASSISTANCE				
		Great Increase	Increase	Neither Increase Nor Decrease	Decrease	Great Decrease
AGENCIES		1	2	3	4	5
1. DEA	(47)	12	21	14	7	0
2. Bureau of Alcohol, Tobacco, and Firearms	(47)	6	15	26	0	0
3. Federal Bureau of Investigation	(46)	8	20	17	1	0
4. U.S. Attorneys	(47)	8	22	17	0	7
5. Internal Revenue Service	(47)	14	19	14	0	0
6. Other (SPECIFY)	(4)	2	1	1	0	0

59. How often, if at all, have domestic marijuana cases in your state been prosecuted in Federal court by certified (cross-designated) District Attorneys in order to take advantage of Federal forfeiture laws? (CHECK ONE BOX.)

(11)

1. ☒ Very frequently
2. ☒ Frequently
3. ☒ Sometimes
4. ☒ Seldom
5. ☒ Never
6. ☒ Do not know

60. In your opinion, how much of an increase or decrease in the number of domestic marijuana prosecutions involving forfeiture of assets would result in your state if District Attorneys were certified (cross-designated) to prosecute cases in Federal court? (CHECK ONE BOX.) (12)

1. ☒ Great increase
2. ☒ Increase
3. ☒ Neither increase nor decrease
4. ☒ Decrease
5. ☒ Great decrease

61. In 1983, how many domestic marijuana suspects were arrested in your state (to date)? (GIVE YOUR BEST ESTIMATE.)  
 (44) Total number for all 44 states  
4,040 Number of Arrests MEAN - 92 (13-16)

62. In 1983, what percentage of the number of arrested domestic marijuana suspects in your state were arrested at the time a domestic marijuana plot was raided or at a later date? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL TO 100%.)

	PERCENT OF SUSPECTS		
1. Suspects arrested at the time of a raid	MEAN 65	%	MODE-60% MEDIAN-75% (17-19)
2. Suspects arrested at a later date	MEAN 35	%	MODE-10% MEDIAN-25% (20-22)

100%

63. In 1983, what percentage of the domestic marijuana plot raids in your state had an arrest (suspected marijuana violator) at the time of the raid or at a later date? (GIVE YOUR BEST ESTIMATE. PERCENTAGES MUST TOTAL TO 100%.)

	PERCENT OF RAIDS		
1. Raids with arrest at the time of a raid	43	%	(23-25)
2. Raids with arrest at a later date	29	%	(26-28)
3. Raids without any arrests	37	%	(29-31)

100%

64. In your opinion, overall how willing or unwilling are each of the following types of attorneys to prosecute domestic marijuana cases in your state? (FOR EACH TYPE OF ATTORNEY CHECK ONE COLUMN.)

		LEVEL OF WILLINGNESS					
		Very Willing	Willing	Neither Willing Nor Unwilling	Unwilling	Very Unwilling	No Opinion
		1	2	3	4	5	6
<b>ATTORNEYS</b>							
1. District		11	24	8	1	1	1
(46) Attorneys							
2. U.S. Attorneys		6	17	8	3	1	12
(47)							

(32)

(33)

65. In comparison to the penalties you believe are necessary to deter marijuana cultivators and distributors in your state, overall how strict or lenient are the sentences given by each of the following courts? (FOR EACH COURT CHECK ONE COLUMN.)

		HOW STRICT OR LENIENT?					
		Very Strict	Strict	Neither Strict Nor Lenient	Lenient	Very Lenient	No Opinion
		1	2	3	4	5	6
<b>COURTS</b>							
1. State courts		2	4	11	21	7	2
(34)							
2. Federal courts		2	7	9	7	4	18
(35)							

#### V. STATISTICAL INFORMATION (ANSWERED BY 10 STATES NOT IN DEA'S 1983 PROGRAM)

66. In 1983, what is the total number of domestic marijuana plants which have been eradicated by Federal, state and local agencies in your state? (GIVE YOUR BEST ESTIMATE.)

TOTAL NUMBER FOR ALL 10 STATES

49,359 Number of Plants Eradicated MEAN - 4,936

(36-40)

67. In 1983, what is the total number of marijuana plots which have been eradicated by Federal, state and local agencies in your state? (GIVE YOUR BEST ESTIMATE.)

TOTAL NUMBER FOR ALL 10 STATES

414 Number of Plots Eradicated MEAN 41

(41-44)



68. In 1983, how many eradication raids occurred in your state? GIVE YOUR BEST  
(10) ESTIMATE.

TOTAL NUMBER FOR ALL 10 STATES  
440 Number of Raids MEAN = 44

(45-48)

69. Briefly discuss the extent you have encountered violence, resistance, booty  
(9) traps, or weapons when conducting eradication raids in your state.

(49)

4 - Violence encountered

5 - No violence encountered

70. Briefly discuss why your state did not request or receive DEA funds for your  
(9) state's eradication/suppression efforts in 1983. Does your state plan to  
request DEA funds in 1984?

(50)

1 - No plans to request in 1984

2 - Plan to request in 1984

6 - May request in 1984

Please provide your name, title, and phone number so that we can contact you if  
we need to clarify any of your answers.

Name \_\_\_\_\_

Title \_\_\_\_\_

Telephone Number ( ) \_\_\_\_\_  
Area Code

Thank you for your cooperation.

END

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